

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27632 of 2022

Arising Out of PS. Case No.-435 Year-2021 Thana- ISLAMPUR District- Nalanda

1. MD. SOHRAB Son of Late Md. Hasan Resident of Village - Budha Nagar, Islampur, P.S.- Islampur, Distt.- Nalanda.
2. Md. Hasib Son of Late Md. Hasan Resident of Village - Budha Nagar, Islampur, P.S.- Islampur, Distt.- Nalanda.
3. Md. Kalim Son of Late Jiauddin Resident of Village - Budha Nagar, Islampur, P.S.- Islampur, Distt.- Nalanda.
4. Md. Israil Son of late Musa Miyan Resident of Village - Budha Nagar, Islampur, P.S.- Islampur, Distt.- Nalanda.
5. Md. Pintu @ Parwej Son of Md. Tamu Resident of Village - Budha Nagar, Islampur, P.S.- Islampur, Distt.- Nalanda.
6. Md. Samu Miyan Son of Late Sarfu Miyan Resident of Village - Budha Nagar, Islampur, P.S.- Islampur, Distt.- Nalanda.
7. Md. Rustam Son of Md. Rashid Resident of Village - Budha Nagar, Islampur, P.S.- Islampur, Distt.- Nalanda.
8. Md. Mustafa @ Md. Mustakim Son of Md. Barfu Resident of Village - Budha Nagar, Islampur, P.S.- Islampur, Distt.- Nalanda.
9. Md. Guddu Son of Sarfuddin Resident of Village - Budha Nagar, Islampur, P.S.- Islampur, Distt.- Nalanda.
10. Md. Mukhtar Son of Md. Bakrid Resident of Village - Chaksadik, Islampur, P.S.- Islampur, Distt.- Nalanda.
11. Md. Kalim Son of Md. Azim Resident of Village - Chaksadik, Islampur, P.S.- Islampur, Distt.- Nalanda.
12. Md. Sam Son of Hasnu Miyan Resident of Village - Chaksadik, Islampur, P.S.- Islampur, Distt.- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tej Narayan Singh
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-10-2022 Heard learned counsel for the petitioners and learned
APP for the State.



The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Islampur P.S. Case no. 435 of 2021 instituted for the offence punishable under Sections 147, 149, 342, 353, 388, 269, 270, 271 and 120B of the Indian Penal Code.

As per allegation in the FIR, petitioners along with other co-accused persons have created hindrance by pelting stones to the police party in discharging the official duty at the occasion of Muharram.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. General and omnibus allegations have been levelled against him. They were only the member of the mob. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest



or surrender in connection with Islampur P.S. Case no. 435 of 2021, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Hilsa at Nalanda subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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