

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42683 of 2021

Arising Out of PS. Case No.-51 Year-2021 Thana- SIGAUDI District- Patna

DANISH HUSSAIN @ DANISH HUSAIN S/O LATE NUMAN ANSARI @
NOMAN ANSARI R/O VILLAGE-SIGORI, P.S-SIGORI, DISTRICT-
PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha, Advocate.

For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 25-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner, who is in custody since 03.05.2021,
seeks regular bail in connection with Sigori P.S. Case No. 51 of
2021 for the offence punishable under Sections 147, 149, 151,
152, 186, 188, 323, 333, 337, 338, 379, 427, 436, 353, 307 and
504 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, in brief, is that a group of about
200 persons gathered near the main gate of the police station
and started to abuse and made an attempt to break the main gate.



In spite of attempt by the police to calm down the mob, they made an attempt to snatch the rifles of the police personnel. In the occurrence, a number of police personnel were injured. The police personnel also resorted to firing in the air. It is further stated that in the C.C.T.V. footage, 51 named accused persons were identified which include the petitioner and about 100 others may also be identified in the C.C.T.V. footage.

Learned counsel appearing on behalf of the petitioner submits that the allegation levelled in the F.I.R. is general and omnibus. The petitioner has been falsely implicated in the case as some persons had gathered to protest for the reason that inspite of written report on an earlier occasion, no F.I.R. was being registered. However, subsequently an F.I.R. was registered. The petitioner is in custody since 3.5.2021 and chargesheet has been submitted in the case. He further submits that the similarly co-accused persons namely Afzal @ Pappu Hakim and Mahmood Ansari have been granted bail by a co-ordinate Bench of this Court vide order dated 17.11.2021 passed in Cr. Misc. No. 43277 of 2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and



circumstances of the case, charge sheet has been submitted against the petitioner and period of custody of the petitioner, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-III, Danapur, Patna in connection with Sigori P.S. Case No. 51 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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