

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36791 of 2022

Arising Out of PS. Case No.-223 Year-2019 Thana- BHARGAMA District- Araria

1. MD. MANGAN Son of Md. Majlum Resident of Village - Biskaria, P.S.- Bhargama, District - Araria.
2. Firdaus @ Md. Firdaus Alam Son of Md. Mangan Resident of Village - Biskaria, P.S.- Bhargama, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 55349 of 2022

Arising Out of PS. Case No.-223 Year-2019 Thana- BHARGAMA District- Araria

1. MOJIM @ MUJIBUR RAHMAN Son of Late Abbas R/V- Chharrapatti, P.s- Bhargama, Dist- Araria
2. Md. Moim Son of Late Bhutto @ Wali Mohammad R/V- Chharrapatti, P.s- Bhargama, Dist- Araria
3. Md. Jamil @ Dhorwa Son of Late Sameed @ Shahid R/V- Chharrapatti, P.s- Bhargama, Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 36791 of 2022)

For the Petitioner/s : Mr. Harish Kumar, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

(In CRIMINAL MISCELLANEOUS No. 55349 of 2022)

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-11-2022 **CRIMINAL MISCELLANEOUS No.36791 of 2022**

Heard learned counsel for the petitioners and
learned A.P.P. for the State.



The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 188, 186, 332, 333, 341, 323, 324, 353, 307 and 504 of the Indian Penal Code read with Section 3 and 9 of the Bihar Control and use of play Loudspeaker Act.

Learned counsel for the petitioners submits that the petitioners have antecedent of three cases relating to the same occurrence and the informant alleges that during Moharram festival he got information that anti-social elements variously armed have joined Tajia procession, thereafter skirmishes took place between two groups and when police tried to pacify the accused persons they created obstruction in discharge of official duty and even assaulted police personnel and violated permission of loudspeaker and DJ sound and Md. Ajam was leading one group.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that from bare perusal of allegation, it would manifest that the allegation of assault is general and omnibus in nature.

Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bhargama P.S. Case No. 223 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

CRIMINAL MISCELLANEOUS No. 55349 of 2022

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Learned counsel for the petitioners submits that the petitioners have antecedent of one case relating to the



same occurrence and the informant alleges that during Moharram festival he got information that anti-social elements variously armed have joined Tajia procession, thereafter skirmishes took place between two groups and when police tried to pacify the accused persons, they created obstruction in discharge of official duty and even assaulted police personnel and violated permission of loudspeaker and DJ sound and Md. Ajam was leading one group.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that from bare perusal of allegation, it would manifest that the allegation of assault is general and omnibus in nature.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bhargama P.S. Case No. 223 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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