

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57377 of 2022**

Arising Out of PS. Case No.-310 Year-2021 Thana- BAHADURPUR District- Darbhanga

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1. MD. RAMEEZ AKHTAR Son of Jameel Akhtar
  2. Md. Mehrab Son of Md. Sohrab
  3. Md. Hasim Akhtar @ Hasim Akhtar Son of Md. Jamil Akhtar
  4. Md. Khudbuddin @ Md. Kutbuddin @ Khudbudi Son of Md. Salim
  5. Md. Mumtaz Son of Moti Miyan
  6. Md. Imteyaz Son of Md. Moti
- All are R/V- Taralahi, P.S- Bahadurpur, Dist- Darbhanga

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Girish Chandra Jha,Advocate  
For the Opposite Party/s : Mr.Nirmal Kumar Sinha,APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      14-12-2022                      Heard learned counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147,149,341, 323, 337, 338, 307, 353, 354, 188, 270 and 153(a)of the Indian Penal Code read with Section 67 of I.T. Act.

As per prosecution case, co-accused Md. Meraj with some wrong comments had posted the picture of Chandni Kumari on the facebook due to which the disturbance arose between two communities and Panchayati was held but was not



succeeded and both the parties thrown stone on each other causing injury to some of them and the police with great difficulty controlled the situation and lodged the F.I.R. against members of both communities.

Learned counsel for the petitioners submits that the petitioners have clean antecedent. They have falsely been implicated in the present case. Further submits that the petitioners are villagers and their name have falsely been implicated in the present case. Further submits that it appears from the FIR that there is general and omnibus allegation against all the accused persons including the petitioners. There is no specific allegation of any assault or overt-act against the petitioners and some of the co-accused persons have been granted bail by the learned court below itself and co-accused Md. Sakir and ten others have been granted privilege of anticipatory bail by a Coordinate Bench of this Hon'ble Court vide order at Annexure-3 to this bail petition and the case of the petitioner is on similar footing.

Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioners.

Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or surrender before the



court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Bahadurpur P.S. Case No. 310 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

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

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order



shall not be delayed for purpose of or in the name of  
verification.

(Rajesh Kumar Verma, J)

Nitesh/-

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