

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18403 of 2023

Arising Out of PS. Case No.-206 Year-2022 Thana- SOHSARAI District- Nalanda

1. MD. SADDAM @ MD. SADDAM HUSSAIN Son of Md. Nazim @ Md. Nazim Uddin R/v- Bichali Aran, P.S.- Sohsarai, District- Nalanda.
2. MD. SHAFKAT @ SHAFKAT @ MD. SHAFKAT RAJA Son of Md. Shakal Akhter @ Md. Shakil Akhter R/v- Bichali Aran, P.S.- Sohsarai, District- Nalanda.
3. MD. TITU @ TITO @ MD. NAUSHAD PASHA Son of Md. Jamshed Pasha R/v- Bichali Aran, P.S.- Sohsarai, District- Nalanda.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Syed Asgher Najmi, Advocate
For the Opposite Party/s : Mr.Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 07-06-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners, in the present case, are seeking pre-arrest bail in connection with Sohsarai P.S. Case No. 206/2022 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 379, 427, 504 of the Indian Penal Code. They have no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the informant has alleged that on 04.08.2022 some anti social elements came out with a moharram procession and when they reached near Bari Devi Ji then 20-25 people started raising wrong slogans,



thereafter after some time 60-70 persons came there with sword and iron rod and started blowing it and the occurrence took place.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in this case. Learned counsel submits that there is no specific allegation against these petitioners.

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

Having regard to the submission that there are general and omnibus kind of allegation against the petitioners, they have otherwise no criminal antecedent, this Court, therefore, directs that in case of their arrest/surrender within a period of four weeks from today, let the petitioners above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Sohsarai P.S. Case No. 206/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

And further condition that in case the petitioners are found involved in similar kind of offence in future the



informant/prosecution may take steps for cancellation of anticipatory bail of the petitioners.

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 antecedent, 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.

(Rajeev Ranjan Prasad, J)

Rajeev/-

U		T	
---	--	---	--

