

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17190 of 2023

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

1. MAHFOOZ ALAM @ MAHFOOZ ANSARI @ MD MAHFOOZ ALAM AND OTHERS SON OF ABDUL HANNAN @ HANU ANSARI RESIDENT OF VILLAGE - SIGORI JANPUR, P.S. - SIGORI, DISTT. - PATNA
2. SHAHZAD ALAM @ SHAHZAD SON OF MD. ZAFIRUDDIN RESIDENT OF VILLAGE - SIGORI JANPUR, P.S. - SIGORI, DISTT. - PATNA
3. MD. SHAKIR EQBAL @ GUDDU ALAM SON OF MD. FAKRUDDIN @ GORAKH RESIDENT OF VILLAGE - SIGORI JANPUR, P.S. - SIGORI, DISTT. - PATNA
4. ARIF WAQAR @ WAQAR ANSARI SON OF GHARIQUE ANWAR @ GHARIQUE ANSARI RESIDENT OF VILLAGE - SIGORI JANPUR, P.S. - SIGORI, DISTT. - PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohammad Minnatullah, Advocate
For the Opposite Party/s : Mr. Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-05-2023 Heard Mr. Mohammad Minnatullah, learned counsel

for the petitioners and Mr. Atul Chandra, learned Additional

Public Prosecutor for the State.

2. Petitioners apprehend their arrest in connection
with Sigori PS Case No. 51/2021 dated 25.04.2021 registered
for the offence punishable under Sections 147, 149, 151, 152,
186, 188, 323, 333, 337, 338, 379, 427, 436, 353, 307, 504 of
the IPC & 27 of the Arms Act.

3. As per allegation made in the FIR, the petitioners



along with 200 persons gathered near the main gate of Sigori Police Station, abused the police party and the mob attempted to break the main gate of the police station. The petitioners and other named accused persons were identified in the CCTV footage.

4. Learned counsel for the petitioners submits that the the petitioners have got no criminal antecedents and they have been made accused mainly on the basis of the fact that they were allegedly present near the said police station. He further submits that altogether 51 persons are named in the FIR along with 100 unknown persons and the allegation against the petitioners is general and omnibus in nature. It is also submitted that similarly situated accused person has been granted anticipatory bail by the Co-ordinate Bench of this Court in Cr. Misc No. 64509/2022 *vide* order dated 22.05.2023.

5. Regards being had to the submissions made by the parties, taking into consideration the fact that similarly situated accused person has been granted anticipatory bail by a Bench of this Court, petitioners have got no criminal antecedents and the allegation against the petitioners is general and omnibus in nature, I am inclined to grant anticipatory bail to the petitioners.

6. Accordingly, let the petitioners, named above, in



the event of arrest or surrender within four weeks from today, be released on anticipatory 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 Additional Chief Judicial Magistrate-III, Danapur, Patna in connection with Sigori PS Case No. 51/2021, subject to the condition as laid down under Section 438(2) CrPC.

(Anil Kumar Sinha, J)

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