

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60560 of 2023

Arising Out of PS. Case No.-8 Year-2023 Thana- ASHOK PAPER MILL District- Darbhanga

ALI MOHAMMAD, S/O MD. MAINUDDIN @ MD. ZAINNUDIN R/O
VILLAGE- ANAR KOTHI, P.S- A.P.M., DISTT.- DARBHANGA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Rajeev Ranjan, Advocate
For the State : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 11-10-2023 1. Heard learned counsel for the petitioner and
learned APP for the State of Bihar.

2. The petitioner is apprehending his arrest in
connection with A.P.M. (Pator) P.S. Case No. 08 of 2023
registered for offence under Sections 143, 145, 152, 147, 149,
341, 323, 353, 504 and 506 of Indian Penal Code.

3. As per prosecution case, the petitioner along with
three other named co-accused persons and 15 to 20 unknown
anti social elements has allegedly blocked the highway and
created nuisance. Upon the police party arriving at the place,
they have also abused them and manhandled them. They were
blocking the highway in protest against death of two persons
who were hit by a truck while they were moving on a
motorcycle.



4. It is submitted by learned counsel for the petitioner that the petitioner has an old antecedent in A.P.M. P.S. Case No. 68 of 2012 in which he is on bail. It is on account of his earlier implication that he has been dragged in this occurrence though he was not present at the time of alleged occurrence. From the allegations in the FIR it is obvious that none has sustained any injury. It is further submitted that the FIR in relation to the occurrence of 10.01.2023 has been sent to the court on 17.01.2023.

5. Learned APP for the State has opposed the prayer for bail.

6. Considering the rival submissions, delay in forwarding of the FIR even though case has been lodged by the police, the fact that no one has sustained injuries and the nature of allegations, this Court is inclined to allow petitioner's prayer for grant of anticipatory bail.

7. Petitioner's prayer for anticipatory bail is allowed.

8. Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned



A.C.J.M., IXth, Darbhanga, in connection with A.P.M. (Pator)
P.S. Case No. 08 of 2023, subject to the conditions as laid down
in Section 438(2) of the Code of Criminal Procedure as also
subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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