

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9853 of 2024

Arising Out of PS. Case No.-301 Year-2023 Thana- BALIYA District- Begusarai

MD. HIDAYAT @ MD. HIDAD SO OF LATE MD. YUSUF RESIDENT OF
VILLAGE- CHHOTI BALLIA, MIRSIRKAR TOLA, PS- BALIA, DIST-
BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parwej Khan, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 22-02-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Baliya P.S. Case no.301 of 2023 registered under sections 301, 147, 148, 149, 341, 342, 323, 325, 337, 338, 435, 436, 353, 427, 153, 153A, 295A, 505B, 505C, 120B and 379 of the Indian Penal Code and section 9 of the Loud Speaker Act.

3. As per the prosecution case, during immersion of idol on the occasion of Durga puja, it is stated that 79 named and 200 known accused persons started to riot, as a result of which law and order situation was disturbed.

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the



case. The allegations against the petitioner are false and concocted. He is in custody since 10.12.2023 and has no criminal antecedent. A number of similarly situated accused persons including Md. Sadique have been enlarged on bail, one of the orders dated 16.1.2024 has been brought on record as Annexure P/2 to the petition. The petitioner has no criminal antecedent.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature allegations in the F.I.R., grant of bail to the similarly situated accused persons together with the petitioner having remained in custody since 10.12.2023, the Court directs the petitioner to be enlarged on bail in connection with Baliya P.S.Case no. 301 of 2023 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai.

(Partha Sarthy, J)

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