

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34908 of 2024

Arising Out of PS. Case No.-423 Year-2023 Thana- BHAGWAN BAZAR District- Saran

1. Mohammad Amanat @ Tiger @ Amantullah Son of Rahamtullah Resident of Mohalla - Nai Bazar, Police Station - Bhagwan Bazar, District - Saran.
2. Namtulla @ Md. Namtullah Son of Rahmat Ali Resident of Mohalla - Nai Bazar, Police Station - Bhagwan Bazar, District - Saran.
3. Mohammad Arif Son of Mohammad Amanat Resident of Mohalla - Nai Bazar, Police Station - Bhagwan Bazar, District - Saran.
4. Mohammad Gullu @ Mohd. Irfan Son of Mohammad Amanat Resident of Mohalla - Nai Bazar, Police Station - Bhagwan Bazar, District - Saran.
5. Samir Khan Son of Namtulla @ Md. Namtullah Resident of Mohalla - Nai Bazar, Police Station - Bhagwan Bazar, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Srivastva, Advocate.
For the Opposite Party/s : Mr. Satya Nand Shukla, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 05-07-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Bhagwan Bazar P.S. Case No.423 of 2023 instituted under Sections 147, 148, 149, 188, 290, 153(A), 295, 295(A), 296, 337, 338, 307, 332, 333, 353, 427, 120(B) of the Indian Penal Code and under Section 9 of Bihar Control of Use and Play of Loudspeaker Act, 1955.

3. As per the prosecution case, during the procession



of Goddess Durga immersion when the procession reached near Masjid it was stopped and music and chanting slogan were done. It is further alleged that some unsocial elements started throwing stones on the procession just when the procession started moving ahead.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. He further submits that petitioners runs fruit shop near the Masjid where the occurrence took place and only on the basis of suspicion and due to village politics, their names have been implicated in this case. Learned counsel submits that petitioners have no criminal antecedent and they undertake to cooperate in the investigation and trial. He further submits that similarly situated co-accused has been granted anticipatory bail by this Court vide order dated 22.05.2024 passed in Cr. Mics. No.32926 of 2024.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing



bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount to each to the satisfaction of the learned Additional Chief Judicial Magistrate-1st, Saran at Chapra in connection with Bhagwan Bazar P.S. Case No.423 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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