

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69844 of 2024

Arising Out of PS. Case No.-863 Year-2024 Thana- PHULWARISHARIF District- Patna

Md. Neshhutuzzama @ Md. Nishant Mallick S/o Md. Jamaluddin @ Md. Jamauddin R/o Esha Nagar, Baitul Karim Masjid, Esahnagar, P.S.- Phulwari Sharif, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Atul Kumar Mehta, Advocate

For the Opposite Party/s : Ms. Nirmala Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-10-2024 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 447, 341, 323, 307, 386, 504 and 506 of the Indian Penal Code as well as Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that Md. Naushad Mallick @ Md. Naushad Alam @ Naushad Mallick had approached this Court seeking anticipatory bail by filing Cr. Misc. No. 64375 of 2024 and the same was allowed by an order dated 17.10.2024 on the ground that for the same offence, two FIRs have been instituted and the present FIR is the second FIR.

4. Learned A.P.P. for the State also does not dispute the said submission.



5. Considering the submissions aforesaid, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Phulwari Sharif P.S. Case No. 863 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. It is made clear that the privilege of anticipatory bail has not been granted to the petitioner on merits, but on the grounds that petitioner is seeking anticipatory bail in the second FIR.

(Satyavrat Verma, J)

Kundan/-

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

