

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68710 of 2024

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

1. Md. Rocky @ Shah Faisal Son of Md. Mister Alam R/O Khalilpura, P.S.- Phulwarisharif, Dist.- Patna.
2. Md. Kamil Alam @ Md. Kamil Son of Md. Mister Alam R/O Khalilpura, P.S.- Phulwarisharif, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma- Sr. Advocate Mr. Atul Kumar Mehta Ms. Sushmita Singh
For the State	:	Mr. Jharkhandki Upadhyay- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-10-2024 1. Heard learned senior counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 447, 323, 341, 307, 386, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. The learned senior counsel for the petitioners 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. also does not dispute the said



submissions.

5. Considering the submissions made by the learned senior counsel appearing on behalf of the petitioners and taking into consideration the order dated 17.10.2024 in Cr. Misc. No.64375 of 2024, the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 50,000/- (Rupees Fifty Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-XIV, Patna in connection with Phulwarisharif P. S. Case No.863 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C. with a condition that one of the bailors of the petitioners shall be their father namely Md. Mister Alam.

6. The application stands allowed.

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

(Satyavrat Verma, J)

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