

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74895 of 2024

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

Shadab Faridi Son of Ayaz Uddin Faridi @ Ayazuddin Asar Faridi R/o
Village- Shah haroon Bartala, Near Baby Garden School, Sasaram, Dist-
Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amritesh Kumar

For the Opposite Party/s : Mr.Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-10-2024 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 560 of the Indian Penal
Code as well as Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case but then the said case also
arises from the same occurrence for which the instant FIR has
been instituted.

4. Learned counsel for the petitioner further 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 were instituted and the instant FIR in which Md. Naushad Mallick was seeking anticipatory bail was the second FIR. Learned counsel next submits that petitioner has been granted the privilege of anticipatory bail in Phulwarisharif P.S. Case No. 862 of 2024 and is seeking anticipatory bail in the second case i.e. Phulwarisharif P.S. Case No. 863 of 2024.

5. Learned A.P.P. for the State is not in a position to rebut the said submissions of the learned counsel appearing on behalf of the petitioner that petitioner is seeking anticipatory bail in the second FIR.

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, 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 Phulwarisharif P.S. Case No. 863 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that privilege of anticipatory bail



has been granted to the petitioner not on merits of the case but on the ground that for the same offence two FIRs were instituted and the instant FIR is the second FIR.

(Satyavrat Verma, J)

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