

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80115 of 2024

Arising Out of PS. Case No.-65 Year-2023 Thana- PARBATTa District- Bhagalpur

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Shaikh Kare @ Md. Nasim @ Karu, Son of Late Ajlum Shaikh, Resident of
Village- Jamunia, P.S.- Parbatta, Dist.- Bhagalpur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Thakur, APP

For the Opposite Party/s : Mr. Madan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 29-11-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Parbatta P.S. Case No.65 of 2023 instituted under Sections
147, 148, 149, 341, 323, 307, 337, 153(A), 504 & 506 of the
Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, all the accused persons
along with 40-50 persons including the petitioner came at the
place of occurrence where the flag hosting ceremony was going
and they started raising slogan with abusive words to the person
who was hosting flag.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this



case. He further submits that there is general and omnibus allegation against the petitioner. The specific allegation is against the co-accused Md. Atlaf Raza, son of Md. Nasim that he has fired 5-6 round but no one was injured to the incident. The similarly situated co-accused persons, namely, Md. Atlaf Raza, son of SK Kare and Md. Jullo @ Jullo Alam have already been enlarged on anticipatory bail *vide* order dated 04.08.2023 passed in Cr. Misc. No.43307 of 2023. The petitioner has one criminal antecedent registered for the same incident. The petitioner undertakes to co-operate in the investigation and the trial.

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 petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Additional Chief Judicial Magistrate, Bhagalpur / Concerned Court in connection with Parbatta P.S. Case No.65 of 2023, subject to the conditions laid down in Section 438(2) of



the Code of Criminal Procedure, 1973.

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(Sunil Dutta Mishra, J)

