

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77659 of 2025

Arising Out of PS. Case No.-217 Year-2012 Thana- PIRBAHOR District- Patna

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Mohammad Shahbaz @ Chotu son of Mohammad Munif @ Md. Munir
Resident of Darzi Tola, Shia Masjid Gali, P.S.- Pirbahore, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shadab Akhter, Advocate

For the Opposite Party/s : Mr.Uday Pratap Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 28-11-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Pirbahore P.S. Case no.217 of 2012 registered under
Sections 147, 149, 341, 323, 431, 332, 333, 353, 452, 504 and
506 of the Indian Penal Code.

3. The allegation in the F.I.R, lodged by the SHO, is
that a mob was blocking the main road and also indulged in
assault and pelting stone upon police personnel on account of
water shortage at the main gate of P.M.C.H.

4. Learned counsel for the petitioner submits that the
petitioner's name has surfaced merely as one of the persons
alleged to be part of a mob indulging in stone-pelting and
damaging public property. The petitioner is a young boy



working as a stall vendor and, in fact, was not present at the place of occurrence. It is further submitted that the delay in approaching the Court occurred because the petitioner had no knowledge of the present F.I.R., and he immediately took steps upon learning that warrants had been issued. It is also submitted that no coercive processes under Sections 82 and 83 of the Cr.P.C. have been issued till date. The petitioner has no criminal antecedent and undertakes to cooperate with the investigation/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Taking into consideration the aforesaid facts and circumstances of the case and also considering that F.I.R was lodged against as many as 500-600 persons along with some named accused coupled with the fact that there is no substantial evidence to show that the petitioner was one of the member of mob and also accepting the submission of learned counsel for the petitioner that petitioner had no knowledge about the present case as also no coercive processes under Sections 82 and 83 of the Cr.P.C. have been issued till date, it is directed that the petitioner above named, having no criminal antecedent in the event of his arrest or surrender before the learned Court below



within a period of four weeks, be released on anticipatory bail in connection with Barauni P.S. Case no.243 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court concerned where the case is pending/Successor Court, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

7. Before accepting the bail bonds of the petitioner, the learned Court concerned is directed to ensure the fact that coercive processes under Sections 82 and 83 of the Cr.P.C. have been issued or not.

(Soni Shrivastava, J)

Harsh/-

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