

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4557 of 2015

Arising Out of PS.Case No. -262 Year- 2014 Thana -AJAMNAGAR District- KATIHAR

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1. Sk. Bablu S/o - Gyasuddin
2. Sk. Akbar @ Md. Akbar Ali , S/o Gyasuddin Both are R/o - Barmine,
P.S. - Azamnagar, Distt - Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioners : Mr. Krishna Pd. Singh Sr. Advocate.
Mr. Sanjeev Kumar Singh, Advocate.

For the Opposite Party : Mr. M. Dayal (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 27-05-2015

Heard both sides.

The petitioners are apprehending their arrest in connection with Azamnagar P.S. case no. 262 of 2014 registered under Sections 147,148,149,323,324,325,307, 504 and 379 of the IPC.

On account of some disputes during the celebration of Muharram, it is alleged that nine accused persons entered into the house and assaulted Sk. Neful. Allegation against the petitioners is that they gave sword blow on the head of sk. Neful. It is further alleged that they repeated the blows. Counsel for the petitioners has submitted that on the previous date the injured had forcibly collected 'chanda' which was objected. On the date of

occurrence the injured of the present case collected a mob and assaulted several persons including Sk Ashik. In the said occurrence he is said to have opened fire. In his submission there is free mar-pit between the two parties.

Even if the submission of the counsel is accepted *argumenti causa*, in my view, it is not a fit case for extending the privilege of anticipatory bail to the petitioners. . Prayer is rejected.

Needless to say that if the petitioners surrender and pray for regular bail before the learned Court below, the same shall be considered and disposed of on its own merit uninfluenced in any manner by the present order.

(Kishore Kumar Mandal, J)

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