

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37142 of 2015

Arising Out of PS.Case No. -135 Year- 2015 Thana -DAUDNAGAR District- AURANGABAD
=====

1. Kallu Quraishi
2. Gaurav Quraishi Both sons Chirag Ali (wrongly mentioned in the F.I.R as Birgul and Janak Quraishi)
3. Afzal Quraishi @ Chhotu Quraishi son of Latif Quraishi @ Latifur Rahman
4. Raju Quraishi son of Nathun Quraishi All resident of village/Mohalla- Pirahibag, Police Station- Daudnagar, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Anish Chandra(App)
=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-09-2015

Heard learned counsels for the petitioners
and the State.

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 332, 333, 307 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is that the mob of Hindu and Muslim communities raised slogans and attacked on each other. It is alleged that co-accused Munna, Naushad and others armed with sword and lathi started attacking the people on road. When Bhola inquired about the matter co-accused Aziz ordered to kill him when co-accused Munna attacked Bhola with sword causing injury on his head. It is

further alleged that when Ajay Yadav and Birendra Yadav came to rescue co-accused Bhola, Jahangir Quraishi threw explosives and co-accused Chhotu Quraishi resorted to fire. It is alleged against the petitioners that petitioners were members of the mob.

It is submitted by learned counsel for the petitioners that specific overt act has not been alleged against the petitioners and there is counter version of the occurrence also. It is further submitted that petitioner No. 3 alias name is Chhotu Quraishi son of Latif Quraishi but the accusation of resorting to fire is against another Chhotu Quraishi son of Yusuf Quraishi whose name appears at serial number 9 in the First Information Report.

Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Daudnagar in connection with Daudnagar P.S. Case No. 135 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Shageer/-

U		T	
---	--	---	--