

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46897 of 2015

Arising Out of PS.Case No. -94 Year- 2015 Thana -MANJHAHGARH District- GOPALGANJ

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1. Md. Ali Son of Nasrullah
 2. Neshar Ali @ Md Neshar Son of Nasrullah
 3. Emamoddin @ Emamuddin Ansari Son of Late Wakil Mian
 4. Sahabuddin @ Sahabuddin Ansari Son of Babudin Mian
 5. Jamaluddin @ Jamaluddin Ansari Son of Ajaku Hussain
 6. Zarina Khatoon Wife of Samsad Ali
 7. Eastakar Ali @ Esta Khar Ansari Son of Late Budheli Mian
 8. Hafijullah @ Hafijullah Ansari Son of Sadique Mian
 9. Tasiran @ Tasiran Khatoon Wife of Mumtaz Ali
 10. Nasima Khatoon Wife of Late Phool Mohammad
- All are resident of Village Sah Ka Pathra, P.S. Manjhagarh, District
Gopalganj

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Arbind Kumar Singh, Advocate
For the State : Mr. Navin Kr. Panday, APP
For the Informant : Mr. Gulam Rabhani, Advocate

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

4 02-03-2016

Learned counsel appearing for the petitioners informs
that Anticipatory bail application has become infructuous as
against the petitioner nos. 7 and 8, namely Eastakar Ali @ Esta
Khar Ansari and Hafijullah @ Hafijullah Ansari respectively as
they have already been taken in custody.

Heard learned counsel for the petitioners, the State
and the informant.

The petitioners apprehend their arrest in a case registered

for offences punishable under Sections 341 / 323/ 324 / 307/ 379/ 554A/504/34 of the Indian Penal Code.

It is contended on behalf of the petitioners that the parties are closely related with each other and a Title Suit No. 446 of 2012 / 0004394 of 2013 is already going between the parties. It is further contended that in fact the petitioners' side has first lodged First Information Report for the occurrence which has been appended as Annexure 2 and, thereafter, as a counter blast, this case has been lodged by the informant's side making out ornamental allegations of snatching chain and removing cloths of the girls at the time of altercation. It is also contended that none of the injuries allegedly caused by the assault of the petitioners have been found to be grievous in nature.

Learned counsel appearing on behalf of the informant has submitted that there is allegation upon two of the petitioners for removing the cloths at the time of altercation but he also admits at the time of hearing that the First Information Report was lodged first by the petitioners' side and a title suit is pending between the parties from before.

Having regard to the facts and circumstances of the case, let the petitioners, namely Md. Ali, Neshar Ali @ Md Neshar, Emamoddin @ Emamuddin Ansari, Sahabuddin @

Sahabuddin Ansari, Jamaluddin @ Jamaluddin Ansari, Zarina Khattoo, Tasiran @ Tasiran Khatoon and Nasima Khatoon be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today in Manjhagarh P.S. Case No. 94/2015, on furnishing bail bond of Rs.10,000(Ten Thousand Rupees) each with two sureties of the like amount each to the satisfaction of Sri Vivek Kumar Singh, Judicial Magistrate, 1st Class, Gopalganj, subject to the conditions as laid down under sub-section(2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

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