

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30030 of 2016

Arising Out of PS.Case No. -41 Year- 2015 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

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Tufail Anwar Son of Abdul Gaffar, resident of Village- Ramdiha, Police
Station- Chakia, District- East Champaran.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Sri Mujtabaul Haque

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 08-09-2016

Heard both sides.

The petitioner apprehends his arrest in Chakia P.S.
Case No. 41 of 2015, registered for the offences punishable under
Sections 302 and other Sections of the Indian Penal Code.

The informant Fahimuddin named the petitioner along
with five other accused persons and alleged that on account of
land dispute there was quarrelling between the parties. Reja Alam
armed with spade, Maisar Alam armed with brick and iron rod and
Naushad armed with danda came and thereafter all the accused
persons assaulted the father of the informant.

Learned counsel for the petitioner submits that there is
no specific allegation of assault against the petitioner Tufail
Anwar. The deceased died due to injury found on his head caused

by Reza Alam. Reza Alam has already been granted regular bail vide order passed in Cr. Misc. No. 44216/2015.

It appears that similarly situated accused persons, namely Abdul Jabbar and Taslim Ansari have also been granted regular bail.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

The petitioner, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail and his prayer shall be considered taking into consideration that Reza Alam who is alleged to have assaulted the deceased causing injury on the head of the deceased has already been granted regular bail vide order passed in Cr. Misc. No. 44216/2015. The court below shall dispose of the bail petition of the petitioner preferably on the same day.

(Prabhat Kumar Jha, J.)

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