

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30194 of 2016

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

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1. Maysar Alam, Son of Abdul Jabbar
2. Naushad Alam, Son of Abdul Jabbar,
Both resident of Village- Ramdiha, Police Station- Chakia, District- East
Champaran at Motihari.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate.

For the Opposite Party/s : Mr. B.N. Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 09-09-2016

Heard both sides.

The petitioners apprehend their arrest in Chakia P.S.
Case No. 41 of 2015 under Section 302 and other sections of the
Indian Penal Code.

The informant named the petitioners along with other
accused persons and alleged that Reza Alam assaulted his father
Halim Ansari with spade on his head and Naushad assaulted with
stick. His father fell down on the ground. Thereafter, all the
accused persons assaulted the father of the informant. The father
of the informant died during the course of treatment.

Dr. Amrendra Kumar, learned counsel for the
petitioners, submits that Reza Alam, who is alleged to have
assaulted the deceased with Spade on his head, has already been

granted regular bail vide order passed in Cr. Misc. No. 44216/2015. Other accused persons, namely, Taslim Ansari and Abdul Jabbar, whose cases stand on the same footing as that of the petitioner, have already been granted regular bail vide orders passed in Cr. Misc. No. 40536/2015 and Cr. Misc. No. 35435/2015. The case of the petitioner stands on the same footing.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners on anticipatory bail in Chakia P.S. Case No. 41 of 2015. Accordingly, the same is rejected.

If the petitioners surrender in the court below, the court below shall consider the prayer for regular bail of the petitioners taking into consideration that other similarly situated co-accused has been enlarged on regular bail and dispose of the bail petition of the petitioners preferably on the same day.

(Prabhat Kumar Jha, J)

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