

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55303 of 2016

Arising Out of PS.Case No. -601 Year- 2016 Thana -SITAMARHI District- SITAMARHI

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1. Kaisher Ali @ Lucky, son of Jauhar Imam Ansari,
2. Md. Najre Ali @ Nazre Ali @ Tipu, son of Haider Imam,
3. Nafis Ali @ Nafees Ali, son of Haider Imam, All three resident of
Village- Mohanpur, Police Station and District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Pravesh Nath Tiwari

For the Opposite Party/s : Mr. Sri Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 10-01-2017 Learned counsel for the petitioners submits that

Petitioner No. 2 Md. Najre Ali @ Nazre Ali @ Tipu has already been

arrested and therefore, his anticipatory bail petition has become

infructuous.

Accordingly, the anticipatory bail petition of Petitioner

No. 2 is dismissed as has become infructuous.

Heard both sides.

Petitioner Nos. 1 and 3 apprehend their arrest in

Sitamarhi P.S. Case No. 601/2016, registered for the offences

punishable under Section 307 and other Sections of the Indian Penal

Code.

The informant lodged the case against the petitioners

and other accused persons and alleged that there was some dispute



between the two sub-sects of Muslim community, namely, Bareilly Akida and Deobandi Akida for that a meeting was convened in the Masjid. The accused persons having armed with different weapons came and assaulted the informant and others. Petitioner No. 1 Kaisher Ali is said to have assaulted the informant Neyaz Ansari. Nafis Ali is also alleged to have assaulted with iron rod.

Learned counsel for the petitioners submits that there is a counter version being Sitamarhi P.S. Case No. 600/2016. Both sides sustained injuries. The informant got one injury on the back of his head. From the side of the petitioners also many persons got injuries. All the injured got simple injuries.

Considering the facts aforesaid, the petitioners above named in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi P.S. Case No. 601/2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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