

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27950 of 2018

Arising Out of PS. Case No.-159 Year-2017 Thana- KUDHNI District- Muzaffarpur

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1. Md. Laddu @ Gulam Nabi Azad
 2. Md. Sindhhu @ Gulam Rasul @ Gulam Rasul Azad,
Both Sons of Md. Nuruddin R/o Village +P.S. Kurhani,
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjay Parasmani

For the Opposite Party/s : Mr. Md. Ashlam Ansari

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 09-05-2018 Heard Sri Sanjay Parasmani, learned counsel for the petitioners, learned Addl. Public Prosecutor as well as Sri Jitendra Narayan Sinha, learned counsel, who has voluntarily appeared on behalf of the informant.

Two petitioners , apprehending their arrest in Kurhani (Turki O.P.) P.S. Case No.159 of 2017 registered for the offence under Sections 147, 148, 149, 341, 323, 324, 379, 307, 504, 506, 34 of the Indian Penal Code , have prayed for grant of bail in the event of their arrest or surrender.

Learned counsel for the petitioners, by way of referring to Annexure-2 to the petition i.e. copy of F.I.R. of Kurhani P.S. Case No.160/2017, submits that there was case and counter case in between the parties. It has been argued that



father of both petitioners, Md. Nuruddin, who was the informant of Kurhani P.S. Case No.160 of 2017, due to injury caused in the occurrence subsequently succumbed. According to learned counsel for the petitioners, the informant side of the present case were aggressors and this is the reason that father of both petitioners died subsequently due to injury in the incident.

Learned Addl. Public Prosecutor and learned counsel for the informant have vehemently opposed the prayer for anticipatory bail. Sri Jitendra Narayan Sinha, learned counsel for the informant submits that in the case, after such a long time, petitioners have prayed for grant of anticipatory bail. He submits that in the occurrence, 4-5 persons of the informant side of the present case had also received injury.

Considering the fact that there was case and counter case in between the parties and due to injury received in the occurrence, the father of both petitioners died, who was the informant of Kurhani P.S. Case no.160 of 2017, there is no reason to deny the prayer for anticipatory bail. Accordingly, let both the aforesaid petitioners, namely (i) Md. Laddu @ Gulam Nabi Azad and (ii) Md. Sindhhu @ Gulam Rasul @ Gulam Rasul Azad , in the event of their arrest or surrender within six weeks from today, be released on bail on furnishing bail bond of



Rs.10,000/- (ten thousand) each with sureties of the like amount each to the satisfaction of Sri Nayan Kumar, learned Judicial Magistrate, 1st Class, Muzaffarpur in connection with Kurhani P.S. Case No.159 of 2017, subject to condition as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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