

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42767 of 2019

Arising Out of PS. Case No.-36 Year-2019 Thana- BARHARIA District- Siwan

1. Irshad, son of Jamirul Haque Ansari, Resident of Village-, P.S.-Barharia, District-Siwan.
 2. Nadeem Ali, s/o Imteyaz Resident of Village-, P.S.-Barharia, District-Siwan.
- Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey
For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-07-2019 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Barharia P.S. Case No.36 of 2019 for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 504 of the Indian Penal Code and later on Section 302 of the Indian Penal Code was added.

The allegation against the petitioners along with other co-accused persons is that they arrived near the door of the informant and started assaulting the son of the informant and there is specific allegation against Mahboob Alam that they stabbed son of the informant causing him grievous injury, who subsequently died.

Learned counsel for the petitioners submits that there is no specific allegation of assault against these petitioners and the



allegation is general and omnibus in nature. He further submits that as per the First Information Report, there is allegation against Mahboob Alam, who stabbed the son of the informant.

Learned counsel for the petitioners further submits that similarly situated accused persons have been granted bail by this Court in Cr. Misc. No.26555 of 2019.

After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of the State and taking into consideration the fact that similarly situated accused persons have been granted bail by this Court and fuhrer that there is no specific allegation of assault against these petitioners, I am inclined to grant anticipatory bail to these petitioners.

Accordingly, both the petitioners, named above, are directed to surrender before the learned Court below within a period of four weeks and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Siwan, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

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(Anil Kumar Sinha, J)

