

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.49855 of 2019**

Arising Out of PS. Case No.-22 Year-2019 Thana- ANTI District- Gaya

1. Md. Rajabu Ali @ Rajab Ali Son of Imran Miyan @ Late Iman Ali Resident of Village-Kabar Tola Kaji, Bigaha, Post Kabar, P.S.-Anti, Gaya, Bihar-824207
2. Md. Abbash Kuraishi @ Abbas Quraishi Son of Late Mumtaj Kuraishi Resident of Village-Kabar Tola Kaji, Bigaha, Post Kabar, P.S.-Anti, Gaya, Bihar-824207
3. Munazir Kuraishi @ Munazir @ Kaila Son of Rajab Ali Resident of Village-Kabar Tola Kaji, Bigaha, Post Kabar, P.S.-Anti, Gaya, Bihar-824207
4. Md. Mustakim @ Mustakim Kuraishi Son of Late Mansoor Kuraishi Resident of Village-Kabar Tola Kaji, Bigaha, Post Kabar, P.S.-Anti, Gaya, Bihar-824207

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Dayanand Singh

For the Opposite Party/s : Mr. Awadhesh Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      09-08-2019      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Anti P.S. Case No. 22 of 2019, registered under Sections 147, 149, 447, 323, 307, 379 and 504 of Indian Penal Code.

The allegation against the petitioners, as per the first information report that meeting of the Muslim community was called on 22.03.2019 relating to as to why the daughter of petitioner no.1 was levelling false allegation upon the daughter



of the informant. It has further alleged that on the date of occurrence the petitioners along with other accused persons, namely, Sattar Kuraisi and Sallahu Kuraisi tied the neck of Azeem Kuraisi, i.e. son of the informant, with Aluminum wire due to which he became unconscious and also snatched golden necklace from another son of the informant and golden earrings from his daughter.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case on concocted story. Learned counsel further submits that no specific allegation has been made against the petitioners inasmuch as from perusal of the first information report, it would be evident that no overt act has been alleged against the petitioners and it were Sattar Kuraisi and Sallahu Kuraisi who allegedly tied aluminum wire in the neck of the informant's son.

Learned counsel further submits that there was a case and counter case between the parties, inasmuch as petitioner no. 1 has lodged Anti P.S. Case No. 18 of 2019 and 22 of 2019 i.e. prior to lodging of the present FIR, in which, the informant's son and other accused persons have been made accused.

After having heard learned counsel for the parties and



taking into consideration the fact that both the parties are neighbours and are residing in same locality and there is case and counter case between the parties and there is no specific allegation against the petitioners, accordingly, I am inclined to grant anticipatory bail to the petitioners.

Let the petitioners, above named, in the event of arrest or surrender before the court below within a period of four weeks from today, be released on bail upon furnishing bail bond of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-VII, Gaya, in connection with Anti P.S. Case No. 22 of 2019; subject to condition as laid down hereinabove and under Section 438(2) of the Code of Criminal Procedure.

**(Anil Kumar Sinha, J)**

Rahul/-

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