

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48335 of 2019**

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

ANWAR ALI @ ANWAR Son of Chhote Ali Resident of Village - Khurwa,
P.s.- Badharia, Dist.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Rana Randhir Singh

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 05-08-2019 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Badharia P.S. Case No.36 of 2019 registered under Sections 147,
148, 149, 341, 323, 324, 307, 379, 504 and, later on, added Section
302 of the Indian Penal Code.

The accusation is that, firstly, 6 persons, named in the
F.I.R., came at the door of the informant and started to abuse. When
the informant made protest, all started to cause assault to the
informant through fists and slaps. When the son of the informant
rushed to save the informant, he was also assaulted by them.
Thereafter, seven others, named in the F.I.R., including the petitioner
having lathi, danda, knife, sword etc. came there and started to cause
assault to the informant and her son. In that course, Mahboob Alam



caused injury at the stomach and Asif Ali caused injury at the neck of the son of the informant through knife, who fell down and died on the spot.

Learned counsel for the petitioner submits that while the petitioner is named in the F.I.R. but the specific allegation to cause injury at the stomach and neck of the son of the informant through knife is against Mahboob Alam and Asif Ali. Further submission is that the petitioner has no criminal antecedent and the similarly situated co-accused, namely, Raja alias Raza, Raju, Babuddin Ali alias Babyddin Ali alias Babudin Ali and Samim have already been granted the privilege of pre-arrest bail by a Bench of this Court vide order dated 14.05.2019 passed in Criminal Misc. No.26555 of 2019.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Siwan, in connection with Badharia P.S. Case No.36 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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