

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51834 of 2019

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

1. ABDUL SATTAR @ SATTAR QURAISHI Son of Late Ghulam Rasool R/o 8B/6, Topasia Road, Tiljala, P.S.- and P.O.- Tiljala, Distt.- Kolkata, West Bengal - 700039
2. Salahudin Kuraishi @ Slahu Quraishi Son of Yusuf Kuraisi Resident of Village - Kachanpur 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. Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-08-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Anti Police Station Case No. 22 of 2019, disclosing offences under Sections 147/149/447/323/307/379/504 of the Indian Penal Code.

The allegation against the petitioners, as per the First Information Report, is that the meeting of the muslim community was called on 22.03.2019, relating to the issue as to why the daughter of petitioner no. 1 was levelling false allegations against the daughter of the informant. It has further been alleged that on the date of occurrence, the petitioners along



with others assaulted the informant and his family members and the petitioners tied the neck of Azeem Quraishi, who is the son of the informant, by aluminium wire, due to which he became unconscious and then the petitioners snatched golden necklace and ear ring.

Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in this case on a concocted story. He further submits that injury report of the son of the informant (which has been produced by learned Counsel for the petitioners and the same is kept on record of this case) does not corroborate the allegation made in the First Information Report inasmuch as from perusal of the same, it would be evident that injury of 0.5 mm on the right side of the neck has been caused by hard and blunt substance; whereas the allegation is that the petitioners tied the neck of the son of the informant with aluminium wire. He further submits that the injury is minor in nature and cannot be caused by wrapping aluminium wire around the neck, as alleged. He further submits that both the parties are neighbours and there is dispute between the parties on trivial issue.

After having heard learned Counsel for the parties and taking into consideration the fact that both the parties are



neighbours and there is previous dispute between them and further the injury does not corroborate the allegation against the petitioners in the First Information Report, I am inclined to grant the petitioners privilege of anticipatory bail. Accordingly, this application is allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 7th Additional Chief Judicial Magistrate, Gaya, in connection with Anti Police Station Case No. 22 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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