

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2113 of 2021

Arising Out of PS. Case No.-159 Year-2020 Thana- NAANPUR District- Sitamarhi

1. MD. MUNTAZIR S/o Moti Nadaf R/o village- Birar, P.S.- Nanpur, District- Sitamarhi
2. MOHIUDDIN @ MEDIN S/o Moti Nadaf R/o village- Birar, P.S.- Nanpur, District- Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Mahendra Thakur, Advocate
For the Informant	:	Mr. Dinesh Jha, Advocate
For the State	:	Mr. Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-11-2021 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Nanpur P.S. Case No. 159 of 2020 for the offence registered under Sections 147, 149, 323, 324, 341, 307, 302, 379 and 504 of the Indian Penal Code.

The allegation is regarding the accused persons having killed the father of the informant, while some other persons are stated to have been injured on account of aggression on the part of the accused persons. The dispute in question is stated to have arisen over the functioning of the Madarsa.

The learned counsel for the petitioners has submitted that the petitioners are innocent, have been falsely implicated in



the present case and are having clean antecedents. It is further submitted that there is no allegation of any sort of specific overt act as far as the petitioners are concerned and they have been merely named in the FIR. The learned counsel for the petitioners has further submitted that the present case arises out of case and counter case.

Per contra, the learned counsel for the informant Shri Dinesh Jha has though vehemently opposed the prayer for bail but has failed to distinguish the order dated 26.08.2021 passed in Criminal Misc. No. 3641 of 2021, whereby and whereunder exactly similarly situated co-accused person has been granted the privilege of anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the parity of the case of the petitioners with that of the co-accused person who has been granted bail by a coordinate Bench of this Court vide order dated 26.08.2021, passed in Criminal Misc. No. 3641 of 2021, I deem it fit and proper to admit the petitioners herein to the privilege of anticipatory bail.

Accordingly, the petitioners, above named, are directed to be released on anticipatory bail in the event of their



arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Pupri at Sitamarhi in connection with Nanpur P.S. Case No. 159 of 2020 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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