

Ashif Ali Vs. the State of Bihar

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Court : Patna

Decided On : May-23-2012

Appellant : Ashif Ali

Respondent : The State of Bihar

Judgement :

Patna High Court Cr.Misc. No.34472 of 2011 (4) dt.23-01-2012 IN THE HIGH COURT OF JUDICATURE AT PATNA Criminal Miscellaneous No.34472 of 2011
===== Ashif Ali,
S/O-Md. Hasid Petitioner/s Versus The State Of Bihar Opposite
Party/s =====

===== CORAM:
HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA ORAL ORDER
(Per: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

23. 01-2012 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State assisted by learned counsel for the informant. Petitioner is named in the first information report and there is specific allegation against this petitioner that he inflicted sword blow to the deceased, Nurul Hoda. The post-mortem report of the deceased corroborates the allegation but submission on behalf of the petitioner is that there was free fight between the parties and persons from both the sides sustained injuries and unfortunately, two persons of the prosecution side died in the alleged occurrence. Learned counsel appearing on behalf of the informant pointed out that prayer for bail of co-accused

Anaitullah @ Sonu, against whom there is allegation of killing of another deceased, has already been rejected by another Bench of this Patna High Court Cr.Misc. No.34472 of 2011 (4) dt.23-01-2012 Court. Considering the aforesaid facts and circumstances as well as submissions of the parties, I am not inclined to release the petitioner on bail. Accordingly, his prayer for bail in connection with Taraiya P.S. Case No. 91 of 2010 pending in the court of Chief Judicial Magistrate, Chapra is, hereby, rejected. (Hemant Kumar Srivastava, J.) SHAHZAD

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