

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33945 of 2015

Arising Out of PS.Case No. -36 Year- 2014 Thana -BIHARIGANJ District- MADHEPURA

- =====
1. Mansur Ansari @ Md. Mansur @ Md. Mansur Ansari, Son of Late Maksud Ansari alias Late Maksud, Resident of Village Nardah, P.S. Puraini, District – Madhepura.
 2. Md. Firoj Ansari alias Firoj Ansari alias Md. Afroj Alam, Son of Saheed Ansari alias Sadik Ansari, Resident of Village – Rahua, P.S. Bihariganj, District – Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Parmanand Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 13-08-2015

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 379, 506 and 307 of the Indian Penal Code.

The prosecution case is that when the informant along with villagers went to fence the cremation ground then petitioner no. 1 Mansur Ansari assaulted the brother of the informant with iron rod whereas co-accused Saheb Ansari assaulted Md. Hamo Ansari with Garasa causing fracture injury and co-accused Sudhir Alam assaulted the informant by fist

and slap.

It is submitted by learned counsel for the petitioners that specific accusation of assault is against petitioner no. 1 whereas petitioner no. 2 is only a member of mob.

Considering the fact that injury caused by petitioner no. 1 Mansur Ansari has been found to be grievous, let the learned court below consider the prayer for regular bail of petitioner no. 1. Accordingly, the application with regard to petitioner no. 1 is disposed of.

Considering the fact that accusation of assault is not against petitioner no. 2, let the above named petitioner no. 2 be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Udakishunganj, District - Madhepura in connection with Bihariganj P.S. Case No. 36 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

DKS/-

(Dinesh Kumar Singh, J)

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