

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49729 of 2015

Arising Out of PS.Case No. -56 Year- 2015 Thana -HUSAINGANJ District- SIWAN

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1. Saif Ali Son of Seraj Ansari
 2. Mobarak Ansari Son of Ahmad Ansari
 3. Osama Son of Zahiruddin Hafiz
 4. Serajuddin @ Seranuddin Son of Late Idris Ansari
 5. Ahmad Ansari Son of Late Idris Ansari
 6. Saifullah Ansari Son of Munna Ansari All Resident of Village - Jamal Hata, P.S.- Husainganj, District - Siwan

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Anjum Akhter
For the Opposite Party/s : Mr. S.D.Singh Yadav(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-11-2015 Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 325, 448, 307, 435, 436, 354, 379 of the Indian Penal Code.

The prosecution case is that 23 F.I.R named accused persons along with some others came to the house of the informant, abused and assaulted the family members of the informant. The accused persons assaulted the sister of the informant and tore her cloths. The accused persons damaged the two motorcycles and put the motorcycles and house of the informant on fire.

It is submitted by learned counsel for the petitioners that for the occurrence of 27.03.2015 the First

Information Report was registered on 28.03.2015. The accusation is omnibus and general. There is other version of the incidence registered by the police being Hussainganj P.S. Case No. 55 of 2015 registered under Sections 147, 148, 323, 337, 427, 307 of the Indian Penal Code. The case registered by the police does not talk about litting fire of the motorcycle and the house of the informant when in the other case the petitioners have been granted anticipatory bail vide Cr. Misc. No. 32352 of 2015.

A statement has been made in para 3 of the petition that apart from the present case and the case lodged by the police for the same incidence, the petitioners are not accused in any other case.

Considering the accusation being omnibus and general and in the case lodged by the police it does not reflect litting of fire, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Hussainganj P.S. Case No. 56 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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