

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51070 of 2015

Arising Out of PS.Case No. -167 Year- 2015 Thana -BARHARIA District- SIWAN

- =====
1. ABUL HUSSAIN @ MD. AYUB, S/o Abdul Rozid Ansari
 2. Arman Ali @ Md. Arman Ansari, S/o Abdul Rozid Ansari
 3. Asfaque Hussain @ Md. Asfaque, S/o Abdul Mazid
- All resident of village- sikandarpur, Police Station- G.B. Nagar, District- Siwan

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Pravesh Nath Tiwari, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-11-2015

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 409/34 of the Indian Penal Code.

The prosecution case is that the informant gave Rs.1,00,000/- to Raju Ansari for getting the Passport and Visa prepared, but the same was not done and when asked for returning of the money then it was assured that money will be returned on 29th of May, 2015, but the same was not returned, thereafter the informant demanded back the money, on which the accused persons brutally assaulted him.

It is submitted by the learned counsel for the

petitioners that accusation of giving money is specific against Raju Ansari. The accusation of assault is omnibus and general. Though one of the injuries of the informant has been found to be grievous, but it has not been ascertained that who caused the said injury. There is counter version of the occurrence. From the petitioners' side four persons received injury. Similarly situated accused persons have been granted anticipatory bail vide Cr. Misc. No. 39427 of 2015. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on bail in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Barharia (G.B. Nagar) P.S. Case No. 167 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

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