

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34081 of 2015

Arising Out of PS. Case No. -91 Year- 2015 Thana -HUSAINGANJ District- SIWAN

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1. Buchun Ansari Son of Haidar Ansari
2. Akhtar Ansari Son of Barkat Ansari
Both R/o village - Gopalpur, P.S. Hussainganj, District - Siwan
3. Mishri Jee @ Mishri Sah @ Mishir Jee @ Mishiri Sah S/o Kapildeo Sah
4. Umesh Mishra @ Umesh Sah
5. Rakesh Mishra @ Amrish Sah
Both sons of Mishri Jee @ Mishri Sah @ Mishir Jee @ Mishiri Sah 3 to 5
are R/o Village - Telkathu, P.S. M.H. Nagar, District - Siwan

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Bijay Prakash Singh
For the Opposite Party/s : Mr. S.N Shukla (APP)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 15-10-2015 Heard both sides.

The petitioners, five in number, apprehend their arrest in a case under Sections 147, 148, 395, 307, 397, 394, 324, 447, 506/34 of the Indian Penal Code.

Md. Taki @ Lalu filed Complaint Case No. 948/2015 on 07.05.2015 alleging therein that Sheikh Shami and Baitullah brutally assaulted Sikandar Ansari and Akhtar Ansari (petitioner no. 2) and Shabu Ansari snatched Rs. 35,500/- from the possession of Sikandar Ansari. Mishir Ji (accused no. 7) and Rakesh Mishra (accused no. 9) burnt the motorcycle of the complainant. The date of occurrence is 28.04.2015 but the

complaint petition was filed on 07.05.2015 and, on the same day, the F.I.R. was registered. It is submitted that on 29.04.2015 itself, Baitullah Ansari lodged Hussainganj P.S. Case No. 83/2015 alleging therein that the informant along with Md. Taki @ Lalu and others came and brutally assaulted the informant, his wife and other family members. The present case is lodged only to create defence. There is no allegation of assault against the petitioners.

Considering the facts aforesaid, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in Hussainganj P.S. Case No. 91/2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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