

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18570 of 2015

Arising Out of PS.Case No. -31 Year- 2013 Thana -JOGBANI District- ARRARIA

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1. Md. Mintulla Ansari @ Manki, S/o Late Hazi Abdus Subahan
2. Md. Kalim Ansari, S/o Late Axim Ansari,
Both residents of Village- Haziganj, Ward No. 3, P.S.-. Jogbani,
District Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate
For the Opposite Party/s : Mr. Lallan Kumar (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 22-09-2015 Heard learned counsel for the petitioners and the

learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Jogbani P.S. Case No.31 of 2013 for allegedly having committed the offence under Sections 364 and 120B/34 of the Indian Penal Code. Subsequently, Section 302/201 of the I.P.C. was added.

Learned counsel for the petitioners submits that save and except the allegation that the petitioners were seen going towards the mosque by the mother of the deceased, there is no other cogent material so as to implicate the petitioners in the present case. Learned counsel further submits that there being political rivalry between the parties as petitioner no.1's wife had contested the elections of Ward Councillor of Nagar Panchayat

and the suspicion that there was some controversy between the parties due to elections and that there was love affairs between one Md. Irshad and the niece of the victim, which was being protested by the victim, there is no other further material. It is submitted on behalf of the petitioners that said Md. Irshad whose name was also surfaced on the basis of suspicion has been extended the privilege of anticipatory bail by a Bench of this Court in Cr.Misc. No.34530 of 2013, vide order dated 7.2.2014.

Considering the aforementioned facts and circumstances and also that the petitioners have got no criminal antecedents, let both the petitioners, above named, in the event of their arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria, in connection with Jogbani P.S. Case No.31 of 2013, corresponding to G.R. No.773/13, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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