

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54738 of 2015

Arising Out of PS.Case No. -132 Year- 2015 Thana -GUTHNI District- SIWAN

1. Abbas Ansari @ Abbas Mian

2. Mainuddin Ansari

3. Nizamuddin Ansari

All are sons of late Hamid Ansari, Resident of village-Sohagra, Police Station- Guthani, District -Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ganjendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh 1, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 09-12-2015

Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek pre-arrest bail in connection with Guthani P.S. Case No. 132/2015 registered under Sections 147, 341, 323, 307 and 504 of the Indian Penal Code.

It is contended that as per prosecution case co-accused Sadik Ansari assaulted the informant with sword on head and left leg, petitioner no. 2 Mainuddin Ansari assaulted with *lathi* on his back and leg, petitioner no. 1 Abbas

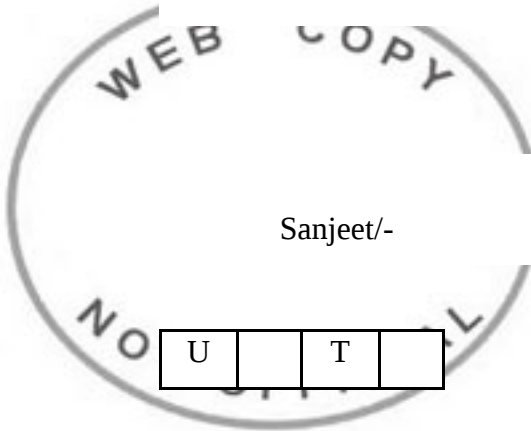


Ansari @ Abbas Mian assaulted Seraj Ansari with spade on his head and petitioner no. 3 assaulted Seraj Ansari with *lathi* on his back and head, but there is only one injury on the person of the informant, i.e., on head, which is alleged to have caused by Sadik Ansari and there is no injury on back and leg on which the petitioner no. 2 is said to have assaulted him. It is further contended that Seraj Ansari has sustained injuries on knee joint, back and leg, but those injuries are simple in nature. It is further contended that there is land dispute between the parties due to which all the family members have been falsely implicated in the present case.

The further contention is that a counter case has also been filed in which cognizance has been taken against the members of the prosecution party and summons have been issued.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within four weeks from today, the petitioners are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Guthani P.S. Case No. 132 of 2015 subject to

the conditions as laid down under Section 438(2) Cr. P.C.



(Ashwani Kumar Singh, J.)