

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45739 of 2015

Arising Out of PS.Case No. -99 Year- 2015 Thana -CHAURADANO District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Merazul Ansari, S/o Late Shahid Mian
 2. Shayara Khatoon, W/o Merazul Ansari
 3. Bigan Ansari, S/o Merazul Ansari All resident of Village- Pakariya, P.S.-
Chauradano, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Yadav

For the Opposite Party/s : Mr. Md. Ashlam Ansari (App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 14-10-2015 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in
Chhauradano P.S. case No. 99/ 2015 for offences alleged under
Section 147, 148, 149, 201, 323, 353, 382/511 of the Indian Penal
Code.

The prosecution case is that the police went to
recover the dead body in connection with Chauradano P.S. case
No. 98 of 2015, registered under section 304B/34 of the Indian
Penal Code, and when the dead body was digged out and loaded
on the police jeep then FIR named accused persons and 100
unknown came variously armed, surrounded the informant and

other police personnel and took away the dead body forcibly.

It has been submitted by learned counsel for the petitioners that the petitioners have clean antecedent as evident from paragraph 3 of the petition. They are innocent and have been falsely implicated in the case. It has further been submitted by learned counsel for the petitioners that petitioner No.1 is father-in-law of the deceased, petitioner No.2 is mother-in-law of the deceased whereas petitioner No.3 is Bhaisur of the deceased. It has been submitted by learned counsel for the petitioners there were 20 named persons and about 100 unknown persons and no specific allegation is attributable to the petitioners. Further more, it has been submitted by learned counsel for the petitioners that a co-ordinate Bench of this court has granted privilege of anticipatory bail to other co-accused persons in Cr. Misc. No. 38142 of 2015 dated 22.09.2015 and Cr. Misc. No. 42546 of 2015 dated 08.10.2015. Since the allegations are general and omnibus and similar in nature, I do not propose to take a different view.

Under such circumstances, in case of arrest or surrender within a period of six weeks from today before the court below, the above named petitioners will 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 Sri S. K.

Srivastava, learned Judicial Magistrate, 1st class, Raxaul at Motihari in Chhauradano P.S. Case No. 99 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Nilu Agrawal, J)

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