

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16139 of 2016

Arising Out of PS.Case No. -47 Year- 2015 Thana -SHYAMPUR BHATHA District- SHEOHAR

- =====
1. Meraj Ansari, Son of Late Nirsu Ansari.
 2. Abid Ansari Son of Maulabi Ansari
 3. Safeed Ansari Son of Maulabi Ansari
 4. Bholu Ansari Son of Late Abdul Ansari
 5. Aslam Ansari son of Safeed Ansari
 6. Gheyasuddin Ansari Son of Md. Meraj Ansari All residents of Village-
Nayagaon Maliya Tola, P.S.- Sheyampur Bhatahan, District- Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s
- =====

Appearance :

For the Petitioner/s : Mr. Md. Imtiyaz Hussain

For the Opposite Party/s : Mr. Md.Ansarul Haque (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

4 22-06-2016 Heard learned counsel for the petitioners and learned
A.P.P. representing the State.

The petitioners seek bail in connection with Sheyampur Bhatahan P.S. Case No. 47 of 2015 registered for the offences punishable under Sections 147, 149, 323, 341, 337, 338, 307, 302, 504 and 506 of the Indian Penal Code.

Allegedly, 14 F.I.R. named accused persons including the petitioners started assaulting the informant with *lathi* and bricks and when younger brother Anwar Ansari came for rescue, the accused persons started assaulting Anwar Ansari and when Naseem Ansari and Shakeel Ansari came for rescue they were also assaulted. Anwar Ansari succumbed to the injuries.



Submission is of false implication and that the petitioners have got no criminal antecedent, the allegations are general and omnibus in nature, there is no specific allegation against the petitioners, the manner of occurrence as alleged is not true, the occurrence has taken place at the spur of moment and the petitioners are suffering in custody since 25.02.2016. Chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence. Other co-accused have already been allowed bail vide Cri. Misc. No. 53458 of 2015 whereas, other ladies co-accused were allowed pre-arrest bail vide Cri. Misc. No. 53222 of 2015.

The learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, above named petitioners are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Sheohar in connection with Sheyampur Bhatahan P.S. Case No. 47 of 2015 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court

concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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