

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12696 of 2016

Arising Out of PS.Case No. -276 Year- 2015 Thana -SHERGHATI District- GAYA

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1. Md. Bishmillah Ansari @ Bismillah Ansari.
 2. Md. Arsad Ansari @ Md. Arsadullah Ansari @ Asadullah Ansari. Both are Sons of Md. Sadique Mian.
 3. Md. Neyaz Hussain @ Neyazuddin, Son of Nasru Mian
 4. Md. Nasru Mian @ Md. Nasruddin Mian, Son of Ahmad Hussain. All resident of Village- Safichack, P.S.- Sherghati, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 11-04-2016 Heard both sides.

Apprehending their arrest in connection with Sherghati P.S. case no. 276/ 2015 registered under Sections 341,323,324,308/34 of the Indian Penal Code the petitioners have prayed for grant of anticipatory bail.

Although, there is general allegation in the First Information Report that these petitioners assaulted three persons of the prosecution side but from the injury report (Annexure 3 series) it does appear that they are superficial /simple in nature. It is stated that father of the petitioner no.1 also lodged a case against the present prosecution party for causing injury to two

persons on the prosecution side. The said case was also registered under Section 308 of the IPC in which some of the accuseds of the counter case have been granted the privilege of anticipatory bail by the Court below. Petitioners do not have any criminal antecedent.

Considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on anticipatory bail. Let the petitioners, named above, in the event of their arrest/surrender before the learned Court below within a period of four weeks from today, 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 Sub Divisional Judicial Magistrate, Sherghati at Gaya, in connection with Sherghati P.S. case no. 276 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with further following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioner(s).
- (ii) As soon as the charges are framed the petitioner(s) shall appear in person before the trial court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive

dates, the trial Court shall have liberty to cancel the bail bonds of the petitioner(s) and secure their arrest in accordance with law.

(Kishore Kumar Mandal, J)

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