

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20326 of 2016

Arising Out of PS.Case No. -661 Year- 2015 Thana -KATIHAR District- KATIHAR

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1. Md. Basir Ansari Son of Late Allauddin
 2. Chand Ansari Son of Basir Ansari @ Md Basir Ansari
 3. Niyaj Ansari Son of Basir Ansari @ Md. Basir Ansari
 4. Shutul Ansari, Son of Late Ahmad Khan
 5. Chand Ansari Son of Zuber Khan
 6. Tahida Khatoon Wife of Basir Ansari @ Md Basir Ansari
 7. Masuma Khatoon, Daughter of Basir Ansari @ Md. Basir Ansari
- Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Anil Kr. Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-05-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307 and 379/34 of the Indian Penal Code.

Prosecution case is that on 24.10.2015 at 10 PM all the accused persons including the petitioners variously armed came to the house of the informant and started assaulting the informant and her husband. It is alleged that petitioner no.2 Chand Ansari assaulted with 'farsa' on the head of the husband of the informant causing cut injury and petitioner no.3 Niyaj Ansari took away

Rs.20,000/- from the box, kept in the house, gold chain and other ornament when the informant went to rescue then she was also being assaulted and petitioner no.4 Shutul Ansari snatched ear-ring from her ear. The accused persons also had a bad eye on the daughter of the informant.

It is submitted by learned counsel for the petitioners that for a petty dispute the accusation has been levelled. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the fact that specific accusation of assault is against petitioner no.2 Chand Ansari, it is a case for consideration of prayer for regular bail.

Let the learned Court below consider the prayer for regular bail of petitioner no.2 Chand Ansari, if he surrenders within a period of six weeks in connection with Katihar Town P.S. Case No.661/2015, pending before the learned CJM, Katihar.

With the above observation, this application so far as it relates to petitioner no.2 Chand Ansari is, accordingly, disposed off.

So far as petitioner nos. 1, 3 to 7 are concerned, since the accusation of assault against them is omnibus and general, let

them be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Katihar, in connection with Katihar Town P.S. Case No.661/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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