

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48054 of 2016

Arising Out of PS.Case No. -202 Year- 2016 Thana -CHATOUNI District-
EASTCHAMPARAN(MOTIHARI)

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1. Aslam Ansari,
2. Sainul Ansari @ Sainullah Ansari, Both sons of Late Bhuta Ansari,
resident of Village- Chhota, Bariyarpur, P.S.- Chhatauni, District- East
Champaran at Motihari.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar

For the Opposite Party/s : Mr. Sri Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR

MANDAL

ORAL ORDER

2 14-12-2016 Learned counsel for the petitioners after making
submissions at some length seeks permission for withdrawal of the
application on behalf of the petitioner no.1, namely Aslam Ansari.

As prayed, the application with respect to petitioner
no.1 is permitted to be withdrawn.

The sole petitioner prays for grant of anticipatory bail
in connection with Chhatauni P.S. case no. 202 of 2016, registered
under Sections 447, 341,323, 324,307, 379 and 506/34 of the IPC.

The allegation is that co-accused Aslam Ansari
inflicted injury on the head of the informant with Dab which was
warded off of by hand resulting injury in hand. Again, he



attempted to assault with Dab on the informant. The allegation against the petitioner is general and omnibus in nature. He too assaulted the informant with lathi and danda.

Contention of the petitioner is that there is no specific allegation of causing injury to the informant. Both the parties are agnates. In fact, a case was lodged against the present prosecution side vide Annexure-2 by the mother of the petitioners.

In the facts and circumstances of the case, this Court is inclined to extend the privilege of anticipatory bail to the petitioner. Let the petitioner No.2, namely, Sainul Ansari @ Sainullah Ansari, in the event of his 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) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Sikarhama East Champaran at Motihari, in connection with Chhatauni P.S. case No. 202 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioner.
- (ii) As soon as the charges are framed



the petitioner 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 and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

Shyam/-

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