

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35260 of 2016

Arising Out of PS.Case No. -185 Year- 2016 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

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1. Reyaj Ansari
2. Neyaj Ansari both are sons of Daroga Ansari Resident of Village-
Chegauna, P.S.- Shikarpur District- West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 19-10-2016 Heard both sides.

The two petitioners herein who are full brothers are
named accuseds along with others in the FIR vide Shikarpur P.S.
Case No. 185 of 2016 registered under Sections 341,323,324,
307/34 of the IPC.

The informant has alleged that in the scuffle he was
assaulted by means of ‘garsha’ on head by petitioner no.2. When
he fell on the ground, other accused persons including the
petitioner no.1 also assaulted him.

Learned counsel for the petitioners submits that in his
restatement, the informant has changed the version and has stated
about the injury received by his brother Meer Hussain. Actually,

he did not present himself for medical examination of the injury, if any, sustained in course of the occurrence. On the other hand, the father of the petitioners lodged a case against the present prosecution side including the Meer Hussain for having assaulted his sons.

Learned APP for the State, on the other hand, on perusal of the case diary, states that no injury report in support of the informant is present on the case diary. It is stated that the petitioners have no criminal antecedents.

In view of the above, this Court is inclined to extend the petitioners the privilege of 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 C.J.M. Bettiah, West Champaran, in connection with Shikarpur P.S. Case No. 185 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the following conditions:-

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



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 petitioners and secure their arrest in accordance with law.

(Kishore Kumar Mandal, J)

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