

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3423 of 2016

Arising Out of PS.Case No. -132 Year- 2015 Thana -GUTHNI District- SIWAN

- =====
1. Saddique Ansari Son of Late Hamid Mian
 2. Bholi Ansari @ Bholi Mian @ Qyamuddin Son of Abbas Ansari Both are resident of village - Sohagra, Police Station - Guthani, District - Siwan

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ganjendra Kumar Singh

For the Opposite Party/s : Mr. Dashrath Mehta(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-01-2016 Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 341, 323, 307, 504 of the Indian Penal Code.

The prosecution case is that petitioner No. 1 assaulted the informant with sword repeatedly on his head and left leg and when son of the informant came to rescue then he was assaulted by co-accused Abbas Ansari with spade whereas co-accused Nizamuddin Ansari assaulted with hockey stick and petitioner No. 2 assaulted with lathi to the son of the informant.

It is submitted by learned counsel for the petitioners that in the background of land dispute the accusation has been levelled. The accusation against petitioner No. 1 is to have assaulted the informant repeatedly with sword

but only one injury has been found on the head of the informant, whereas son of the informant alleged to have been assaulted by petitioner No. 2, Abbas Ansari and Nizamuddin Ansari when Abbas Ansari and Nizamuddin Ansari have been granted anticipatory bail by a coordinate Bench of this Court vide Cr. Misc. No. 54738 of 2015. There is counter version of the occurrence also.

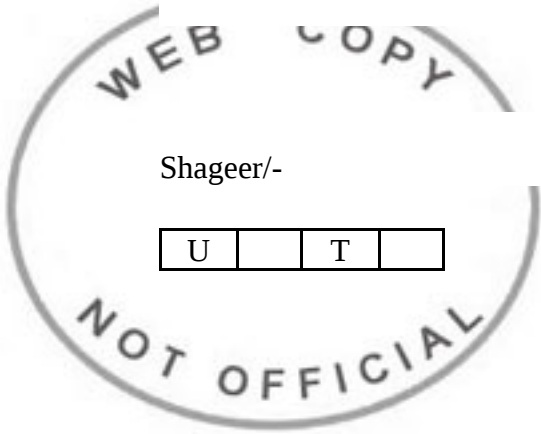
A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the aforesaid facts, in view of this Court, let learned Court below consider the prayer for regular bail of petitioner No. 1 Saddique Ansari, if he surrenders within a period of six weeks in connection with Guthani P.S. Case No. 132 of 2015, pending in the Court of learned Chief Judicial Magistrate, Siwan.

With the observations above, the application with regard to petitioner No. 1 stands disposed of.

So far as petitioner No. 2 is concerned, considering the nature of accusation, let the petitioner No. 2, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Guthani P.S. Case No. 132 of 2015,

subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.



(Dinesh Kumar Singh, J)