

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55912 of 2017

Arising Out of PS.Case No. -22 Year- 2012 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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1. Mitthu Ansari, Son of Jabbar Ansari,
2. Margub Ansari @ Margob Ansari, Son of Jabbar Ansari,
3. Md. Tanwer Ansari @ Tanweer Ansari, Son of Musa Ansari,
All resident of Village- Makhanaha, P.S.- Banmankhi, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Chanda Khatoon, Daughter of Kasim Ansari, resident of Village-
Makhanaha, P.S.- Banmankhi, District- Purnea.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate.

For the Opposite Party/s : Mr. Brajendra Nath Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-11-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Complaint**
Case No. 22 of 2012 instituted for the offence under Sections
366A, 342, 376 and 120-B of the Indian Penal Code.

As per complaint petition, there is specific allegation
against Babu Ansari (not petitioner) and Margub Ansari @
Margob Ansari (petitioner No. 2) of kidnapping the complainant
on the point of gun and committing illegal act with her.

Therefore, this Court is not inclined to grant
anticipatory bail to the petitioner No. 2, namely, Margub Ansari



@ Margob Ansari.

Prayer for anticipatory bail against petitioner No. 2 stands rejected.

So far petitioner Nos. 1 and 3 namely, Mitthu Ansari and Md. Tanwer Ansari @ Tanweer Ansari are concerned, there is no allegation of any specific overt act against them. Therefore, prayer for anticipatory bail of the petitioner Nos. 1 and 3 namely, Mitthu Ansari and Md. Tanweer Ansari @ Tanweer Ansari is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Complaint Case No. 22 of 2012**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned **1st Additional Chief Judicial Magistrate, Purnea**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the



case, in that case, prosecution will be at liberty to move for
cancellation of bail of the petitioners.

(Sanjay Priya, J)

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