

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61398 of 2017

Arising Out of PS. Case No.-167 Year-2017 Thana- HUSAINGANJ District- Siwan

Sahid Ansari, S/o- Md. Ismail @ Md. Ismail Ansari, R/o- Villaget- Mahpur,
Ward No.13, Faridpur, P.S.- Hussainganj, District- Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Dubey
For the Opposite Party/s : Mr. Manish Kumar 2

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-12-2017 Heard learned counsels for the petitioner and State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 379, 427, 436, 448, 504 and 506 of the IPC.

The prosecution case, as per the written report of Hiramati Devi is to the effect that on 28.06.2017 at about 7 AM, 33 accused persons including the petitioner came and after pouring petrol, set the house of the informant on fire. They also robbed the jewellery and other articles and rest of the articles, worth Rs. 5 lakhs, got burnt.

It is submitted by learned counsel for the petitioner that accusation is omnibus and general against 33 persons. The petitioner has falsely been implicated in the present case since earlier co-accused Ghulam Quasim lodged Hussainganj P.S.



Case No. 43 of 2016 and similarly co-accused Md. Eqbal Mehdi lodged Siwan Town P.S. Case No. 102 of 2017, under Section 302 of the IPC against Vishwakarma Bind, the brother-in-law of the informant of the present case for causing murder of one Nehal Mehdi and in those two cases, the petitioner has supported the prosecution case. Similarly situated accused Ghulam Quasim and Md. Eqbal @ Eqbal Mehdi have been granted privilege of anticipatory bail by a co-ordinate Bench of this Court, vide Cr. Misc. No. 40001 of 2017. A statement has been made in paragraph no.3 of the petition, that though, the petitioner is accused in three other cases, but he is on bail in those cases.

Learned APP submits accusation of putting the house of the informant on fire is against all the accused persons including the petitioner.

Considering the fact that accusation is omnibus and general and similarly situated accused persons have been granted privilege of anticipatory bail, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the



satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Hussainganj P.S. Case No. 167 of 2017, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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