

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.2805 of 2017**

Arising Out of PS.Case No. -69 Year- 2016 Thana -MEHANDIA District- JEHANABAD

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1. Rahat Ansari son of Md. Mahbul Haque Ansari  
2. Kashim Ansari son of Late Ibrahim Ansari  
3. Md. Akwar @ Akwar Ansari, son of Kashim Ansari  
4. Md. Firdosh Iraki @ Firdosh Iraki son of Late Mahbul Iraki  
All R/o village- Walidad, P.S.- mahendia, District- Arwal

.... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Anil Kumar

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

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN**  
**SHARMA**  
**ORAL ORDER**

2      04-02-2017      Heard learned counsel for the petitioners and learned  
counsel representing the State.

Petitioners apprehend their arrest in connection with Mahendia P.S. Case No. 69 of 2016 registered for the offences punishable under Sections 147, 149, 341, 323, 324, 307 and 379 of the Indian Penal Code.

Allegedly, the petitioners and other co-accused being variously armed came and attacked on the informant and his brother Nazir Khan, co-accused Jakir Ansari and Rahat Ansari gave garansa blow on the head of the informant, resulting, he fell down, became unconscious and when he regained his sense found his watch and gold chain missing. Accused persons further took away Rs. 5,000/- from the pocket of Nazir Khan.

Submission is of false implication and that the occurrence has



taken place due to grudge of election of secretary of the mosque, there is case and counter case and this case is the counter blast of Mahendia P.S. Case No. 68 of 2016, both sides have received injuries, the injury found on the person of the informant is simple in nature. The accused persons in Mahendia P.S. Case No. 68 of 2016 have been allowed pre-arrest bail vide Cr. Misc. No. 53213 of 2016 vide annexure-5 by another co-ordinate Bench of this Court and as such the petitioners deserve sympathetic consideration.

Learned APP fairly submits that accused persons of counter case have been allowed pre-arrest bail.

In the facts and circumstances stated above, considering that the injury found on the person of the informant is simple in nature, the petitioners above named, in case of their surrender or arrest within four weeks from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Arwal in connection with Mahendia P.S. Case No. 69 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Jitendra Mohan Sharma, J)**

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