

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55230 of 2017

Arising Out of PS.Case No. -87 Year- 2017 Thana -KHANPUR District- SAMASTIPUR

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1. Md. Jubair Ansari
 2. Md. Khursid Ansari @ Khurshid Alam,
Both sons of Md. Maksud Ansari
 3. Md. Maksud Ansari
 4. Md. Nizam Ansari @ Md. Nizamuddin Ansari
Both sons of Late Kari Ansari
 5. Md. Chand @ Chand Babu son of Md. Khursid Ansari @ Khurshid Alam.
- All resident of village- Kadarchak, P.S.- Khanpur, District- Samastipur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate
For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 19-12-2017 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners seek pre-arrest bail in connection with
Khanpur P. S. Case No. 87 of 2017 registered under Sections
341, 323, 324, 308, 379 and 504/34 of the Indian Penal Code.

Learned counsel for the petitioners submitted that all
the offences as alleged are bailable in nature except Sections
308 and 379 of the Indian Penal Code. As far as allegation of



theft is concerned, the same is ornamental in nature. The injuries caused to the informant and others were all simple in nature. He submitted that there is a counter case and the genesis of the occurrence is long standing dispute between the parties, who are agnates.

Learned Additional Public Prosecutor for the State opposed the prayer for grant of pre-arrest bail to the petitioners.

Regard being had to the materials on record and the submissions made above, the petitioners named above are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of SDJM, Samastipur in Khanpur P. S. Case No. 87 of 2017, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure, in the event of arrest or surrender before the court below within six weeks from today.

(Ashwani Kumar Singh, J.)

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