

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31168 of 2018

Arising Out of PS. Case No.-426 Year-2017 Thana- BIHPUR District- Bhagalpur

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1. MD. AZAZ ANSARI @ MD. AZAJ ANSARI @ AZAJ ANSARI, S/o Md. Giro Ansari,
 2. Md. Mister Ansari @ Md. Mister S/o Salim Ansari,
 3. Md. Naushad Ansari S/o Late Sakur Ansari,
 4. Samsheer Ansari @ Md. Samraj Ansari @ Md. Samrej @ Samraj Ansari S/o Md. Salim Ansari, All are the R/o Vill.- Mohalla-Momin Tola, Jhandapur, P.S.- Bihpur (Jhandapur), Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh
For the Opposite Party/s : Smt. Asha Devi

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 24-05-2018 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek Anticipatory bail in connection with Bihpur (Jhandapur) P.S. Case No. 426 of 2017, registered under Sections 147, 149, 341, 323, 342, 504, 353 of the Indian Penal Code and Section 5 of Essential Services Maintenance Act, 1968.

Informant is the Sub-Inspector of Jhandapur Police Station, who in his self statement has stated that on 12.10.2017 at about 6:15 A.M. he received information through mobile phone that one unknown vehicle has dashed with the



motorcycle, as a result two persons on the motorcycle have died on the spot. On this information he reached on the spot and identified dead body as Khurshid Ansari and Firoj Ansari, thereafter the villagers reached the place of occurrence and they caused nuisance and disturbance in the movement of the vehicles. The allegation against these petitioners are that they are members of the unlawful assembly which created nuisance and hindrance in official work. It has further been alleged that he informed the higher police officers, then the Circle Officer, Bhimpur and police inspector reached the place of occurrence and announced that compensation shall be given to each deceased family of about Rs. 4 lacs.

Learned counsel for the petitioners submitted that they are innocent and have been falsely implicated in this case. Petitioners are the villagers, they have no relation with the deceased. Only on halla they went to the place of occurrence. It has further been submitted that several persons have been granted anticipatory bail dated 06.04.2018 passed in Cr. Misc. No. 14606 of 2018 and dated 03.05.2018 passed in Cr. Misc. No. 27079 of 2018 respectively.

Considering the facts and circumstances of the case, prayer of Anticipatory bail is allowed and petitioners named



above in the event of arrest or surrender before the court below within four weeks from today, the petitioners are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M, Naugachiya, in connection with Bihpur (Jhandapur) P.S. Case No. 426 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J)

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