

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16645 of 2018

Arising Out of PS.Case No. -784 Year- 2017 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Lalbabu Ansari, Son of Rasul Ansari,
2. Mahtab Ansari @ Mahtab Alam, Son of Late Satar Asari,
3. Abrar Ansari, Son of Kasim Ansari,
4. Raja Hussain, Son of Ejrail Ansari,
5. Mojib Hussain, Son of Ejrail Ansari,
6. Anwar Ansari, Son of Late Gani Ansari @ Late Gaji Ansari, All
residents of Village- Bamnauliya, P.S.- Turkaulia, District- East
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
Mr. Abhishek Kumar
For the Informant : Mr. Ansuman Singh
For the State : Mr. Ajay Kumar-2

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 11-04-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection
with Turkauliya P.S. Case No. 784 of 2017 registered for the
offences punishable under Sections 25(1-b)a,26/35 of the Arms
Act.

Learned counsel for the petitioners submits that no
offence under Section 25(1-b) is made out against the present
petitioners and, if at all, there was any case, it was against the lady
who had been apprehended with arms and such a case could be



made out. Learned counsel appearing on behalf of the petitioners further submits that the only allegation against these petitioners is that after threatening one Nesar Ahmad who has filed a case bearing Turkauliya P.S. Case No. 783 of 2017, these petitioners had gone to threaten him with illegal arms and, thereafter, had come back and the matter was reported, then the police team led by the informant of the present case, raided the house upon which all the members of the unlawful assembly who were variously armed fled away and the daughter of the petitioner No. 1, namely, Anjum Ara, was apprehended with loaded arms. The recoveries were made from her conscious possession and, therefore, she was taken into custody.

Learned counsel appearing on behalf of the State after pointing out narrations as made out in the First Information Report, has submitted that these petitioners are all having criminal antecedents and considering their past, it is not a fit case where the petitioners be extended the privilege of pre-arrest bail.

Considering the entire facts and circumstances of the case, this Court is not inclined to grant anticipatory bail to these petitioners.

However, if the petitioners surrender before the Court below, the Court shall consider the case of the petitioners without



being prejudiced by this order.

The application stands rejected.

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(Anjana Mishra, J)

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