

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43930 of 2017

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

- =====
1. Nesar Ansari, son of late Wahid Miyan,
 2. Sohail Ansari @ Sohail Ahmad, son of late Shamshad Ansari,
 3. Nasruddin Mansuri @ Nasiruddin, son of Wahid Miyan,
 4. Haidar Quraishi @ Ali Haider, son of late Fateh Quraishi, All R/o Village- Baghauni, P.S.- Hussainganj, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 12-01-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Hussainganj**

P.S. Case No.167 of 2017 instituted for the offence under
Section(s) 147, 148, 149, 341, 448, 427, 436, 379, 504, 506
Indian Penal Code.

Counsel for the petitioners has submitted that there
is allegation in the written report that these petitioners along with
30 others set the house of the villagers on fire by sprinkling
petrol and also looted articles and papers of land.

Case diary has been received, wherein, place of
occurrence has been described in para 14 and the police did not
find any burning of the houses.

It has been submitted that some of the co-accused



have been granted anticipatory bail by a co-ordinate Bench of this Court by order dated 21.12.2017 passed in Cr. Misc. No.53902 of 2017.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Hussainganj P.S. Case No.167 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the **Chief Judicial Magistrate, Siwan**, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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