

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50527 of 2018

Arising Out of PS. Case No.-83 Year-2014 Thana- MEHANDIA District- Jehanabad

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1. Ashraf Ansari,
 2. Tamrej Ansari. Both Son of Yusuf Ansari, R/o Vill.- Bodh Bigha,
P.S.- Mahendiya, District- Arwal.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Jogendra Kumar, Advocate.

For the Opposite Party : Mr. Shyam Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-11-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 341, 323, 324, 307 and
504/34 of the IPC.

The prosecution story, in brief, is that the petitioners
entered into the house of the informant and assaulted him by
Lathi, Danda and *Khanti*. When his mother came to rescue, both
these petitioners brutally assaulted her on head and she became
unconscious. Cause of incident is due to partition of house.

It has been submitted by learned counsel for the
petitioners that the petitioners have got no criminal antecedent.
There is no allegation of tampering with the witnesses alleged



against the petitioners. The petitioners have falsely been implicated in the present case. Grievous injury caused by petitioner no. 1 is on non-vital part of the body of the informant. Hence no offence under Section 307 of the IPC is made out. Petitioner no. 2 is said to have caused simple injury. Both parties are agnates. The said occurrence is said to have taken place due to partition of property.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M. Arwal, in connection with Mehandia P.S. Case No. 83/2014, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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