

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59692 of 2017

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

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1. Sabir Ansari, s/o Kamru @ Kamruddin Ansari
2. Rahimuddin @ Rahimuddin Ansari, S/o Mandal Ansari @ Mandal
3. Guddu Ansari, S/o Safhuddin @ Sarfuddin Ansari
4. Fakruddin Sah @ Fakruddin Sai, s/o Majhar Sah @ Majhar Sai
5. Binod Mahto, S/o Sukundar Mahto @ Sikandar Mahto

All are residents of village - Mahpur Khajrauni, Hussainganj, Post - Faridpur, District - Siwan.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Dubey, Advocate.

For the Opposite Party/s : Mr. Matloob Rab, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 01-02-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Hussainganj P.S. Case No. 167 of 2017** instituted for the offence under Sections 147, 148, 149, 341, 379, 427, 436, 448, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that there is general and omnibus allegation in the written report that 33 named accused persons including these petitioners set the house of entire village on fire and also gave threat to the villagers. It has further been submitted that the instant case has been filed by



the informant to put pressure upon the petitioners to compromise Hussainganj P.S. Case No. 43 of 2016 lodged by one of the named co-accused Gulam Quasim. It has also been submitted that co-accused Md. Iqbal has also filed Town P.S. Case No. 102 of 2017 for the offence under Section 302 of the Indian Penal Code and other allied Sections against Vishwakarma Bind (Dewar of informant of the instant case) for killing Nehal Mehandi.

From the written report itself it appears that there is no allegation of any specific overt act against these petitioners. There is general and omnibus allegation against them. The other co-accused person has been granted anticipatory bail by a coordinate Bench of this Court vide order dated 20.12.2017 passed in Cr. Misc. 61398 of 2017.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners 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 **learned 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 their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond 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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