

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52972 of 2018

Arising Out of PS.Case No. -196 Year- 2017 Thana -NAWADA District- NAWADA

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1. Md. Afsar Eqbal Warsi @ Md. Afsar Edbal Warsi @ Afsar Ansari, S/o
Late Imamuddin Wansi @ Lallu Ansari,
2. Md. Ebrar Ansari @ Karu Ansari S/o Gabbar Ansari, Both R/o Vill.-
Ansarai Tola, P.S.- Nawada, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Adv

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences
alleged under Sections 147, 148, 149, 341, 323, 307, 353, 188,
283, 337, 427, 435, 153(a) IPC registered in connection with
Nawada Town P.S. Case No. 196 of 2017.

3. It is submitted that the petitioners have been falsely
implicated in connection with communal disputes in which FIR
has been instituted against 37 named and 1300 unknown persons.
No specific overt act has been alleged against the petitioners who
claim clean antecedents. Similarly situated co-accused have been
granted anticipatory bail by this Court in Cr. Misc. No. 42802 of
2018 and Cr. Misc. No. 43300 of 2018 (Annexures 2 and 2/1
respectively).

4. Having regard to the entirety of the facts and
circumstances, as such, in the event of the petitioners arrest or



surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada, in connection with Nawada Town P.S. Case No. 196/2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- (i) That one of the bailors shall be a close relative of the petitioners.
- (ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- (iii) That the petitioners shall co-operate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- (iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

Chandran/BT

(Vikash Jain, J)

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