

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4737 of 2018

Arising Out of PS.Case No. -19 Year- 2017 Thana -BAJPATTI District- SITAMARHI

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1. Mahboob Ansari @ Mahboob Alam, Son of Jabbar Ansari,
2. Jabbar Ansari, Son of Khalil Ansari, Both are resident of Village-
Narharpur, P.S.- Bajpatti, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar

For the Opposite Party/s : Mr. Smt. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 05-02-2018 Heard the learned counsels for the petitioners and
the State.

The petitioners seek bail in anticipation of their arrest
in connection with Bajpatti P.S. Case No. 19 of 2017 dated
17.01.2017 instituted for the offences under Sections 147, 149,
376 and 511 of the Indian Penal Code.

It has been alleged in the FIR that when the daughter
of the informant aged about 15 years was coming back to her
home, then co-accused Asgar Ansari tried to commit rape on her.
On her having raised alarm, aforesaid Asgar Ansari was
apprehended by local persons and was assaulted. Thereafter, it has
been alleged that persons in support of Asgar Ansari including the
petitioners surrounded the house of the informant. They left the



place only on seeing the police vehicle which had arrived at the house of the informant.

Learned counsel for the petitioners has submitted that the petitioners are father and son respectively and are absolutely unconnected either with the informant or Asgar Ansari. It has further been submitted that Asgar Ansari was being assaulted by the local persons on being identified as the person who had tried to commit rape on the daughter of the informant and the petitioners, as responsible persons of the society, had only forbade the villagers from assaulting him and it was suggested by them that they should, in fact, report the matter to the police instead of taking law in their own hands. Irked by this action of the petitioners, they have been named in the FIR by the informant.

The petitioners do not have any criminal antecedent and they are not alleged to have done anything except having surrounded the house of the informant.

For the reasons aforesaid facts, the petitioners above named are directed to be released in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rs. Ten Thousand) each with two sureties of the like amount each to the satisfaction of the



learned Sub-Divisional Judicial Magistrate, Pupri, Sitamarhi in connection with Bajpatti P.S. Case No. 19 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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