

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15300 of 2018

Arising Out of PS.Case No. -220 Year- 2017 Thana -GARKHA District- SARAN

=====

1. Md. Tanjib Ansari @ Tanjeeb Ansari, son of Late Nazir Ansari
2. Md. Ekbal Ansari @ Ekbal Ansari, son of Rozadin Ansari
3. Naman Ansari @ Numan Ansari, son of Late Salique Ansari
4. Istayak Ansari, son of Naman Ansari @ Numan Ansari
5. Tabran Ansari @ Md. Kamran Ansari, son of Zahiiruddin Ansari,

All are Residents of Village- Garkha Dakshin Tola, Police Station- Garkha, District- Saran (Chapra).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate.

For the Opposite Party/s : Mr. Ashok Kumar Singh, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 25-04-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Garkha P.S. Case No. 220 of 2017** instituted for the offence under Sections 147, 148, 149, 323, 324, 307 and 504 of the Indian Penal Code.

It is alleged in the written report that petitioner No. 1 assaulted the informant with sword causing injury on his head. It is further alleged that petitioner No.4 assaulted the informant with knife causing injury on the wrist of the informant. When the villagers came to rescue the informant, they were also assaulted with *lathi* and *danda*. Ranbir Kumar and Mukesh Kumar were



assaulted by petitioner No. 2 with *lathi* causing injury on their head and eye.

The injury report of the informant is available in the case diary which shows that he has received total five injuries on his person caused by sharp cutting weapon and also by hard and blunt substance. There is specific allegation against petitioner Nos. 1 and 4 of causing injury to the informant with sword and knife.

Therefore, this Court is not inclined to grant anticipatory bail to the petitioner Nos. 1 and 4 namely, Md. Tanjib Ansari @ Tanjeeb Ansari and Istayak Ansari.

Prayer for anticipatory bail of petitioner Nos. 1 and 4 stands rejected.

So far petitioner Nos. 2, 3 and 5 are concerned, they all are alleged to have assaulted the prosecution party with *lathi* and as per injury report available in the case diary, the injury sustained by the injured is simple in nature. Therefore, prayer for anticipatory bail of the petitioner Nos. 2, 3 and 5 namely, Md. Ekbal Ansari @ Ekbal Ansari, Naman Ansari @ Numan Ansari and Tabran Ansari @ Md. Kamran Ansari, is allowed. In the event of surrender/arrest of the petitioner Nos. 2, 3 and 5, named above, within six weeks from today, in connection with **Garkha P.S. Case No. 220**



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 **Additional Chief Judicial Magistrate-V, Chapra, Distt. Saran**, 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)

S.Ali/-

U		T	
---	--	---	--

