

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4347 of 2019

Arising Out of PS. Case No.-385 Year-2018 Thana- SIKARPUR District- West Champaran

1. Iajaril Ansari
2. Mikhail Ansari
Both s/o late Ajij Ansari
3. Raja Ansari s/o Mikhail Ansari
All r/v- Pipra Pakardi P.S. -Shikarpur, Distt- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2, Adv.
For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 28-01-2019 *Vakalatnama* on behalf of the informant has

been filed during course of hearing. Let it be taken on

record.

Heard the learned counsel for the petitioners,

the informant and the State.

The petitioners seek bail in anticipation of their

arrest in connection with Shikarpur P.S. Case No.

385/2018 dated 09.10.2018 instituted for the offences

under Sections 147, 148, 447, 323, 324, 325, 307, 379

and 504 of the Indian Penal Code.



With respect to a dispute over filling of earth in public drain an occurrence is said to have taken place in which several persons including the petitioners are said to have assaulted Farukh, Ijrail, Sarfuddin and Fatima Khatoon. All the injured persons have received simple injuries except one injury on the person of Farukh, which is stated to be grievous, but on his hand.

Learned counsel appearing for the petitioners has submitted that the drain was being dug by the informant in the land of the petitioners which was protested to and hence the occurrence took place. In the occurrence, as reported by the petitioners, many persons of their side also were assaulted and were injured. The case lodged by the petitioners against the informant and others is earlier in point of time.

Learned counsel for the informant who has opposed the bail petition has submitted that Farukh, who is said to have been assaulted by some of the accused persons including the petitioner no. 1, has received



injuries on his head, but has conceded that the injury has been opined to be simple.

Considering the aforestated facts and especially the counter version of the occurrence and almost all the injuries being simple in nature, the petitioners are directed to be released on bail, 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 their furnishing bail bonds in the sum of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah West Champaran in connection with Shikarpur P.S. Case No. 385/2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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