

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17614 of 2019

Arising Out of PS. Case No.-265 Year-2018 Thana- SONO District- Jamui *

1. NISAR ANSARI Son of Late Rafiq Miyan R/o village- Karmatarh, P.S- Sono (Charkapathar), Distt.- Jamui
2. Azad Ansari Son of Nisar Ansari R/o village- Karmatarh, P.S- Sono (Charkapathar), Distt.- Jamui

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar
For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 26-03-2019 Heard learned counsel for the parties.

Petitioner No.1, namely, Nisar Ansari, has been arrested during the pendency of this application as stated on behalf of the Petitioners.

This application to the extent it relates to petitioner No.1 stands dismissed as having become infructuous.

This application for anticipatory bail arises out of Sono (Charkapathar) P.S. Case No. 265 of 2018 for the offence under Sections 341, 323, 354, 308, 379 and 504/34 of the Indian Penal Code.

There is allegation of stone pelting against two persons named in the First Information Report, who are father and son. Allegedly, the informant received injuries in his head.



There is also allegation of snatching of silver ornaments from the informant's wife.

Learned counsel appearing on behalf of the petitioners has submitted that for the same occurrence, petitioner No. 1 has lodged First Information Report on the day of occurrence itself, i.e. on 22.09.2018, whereas the present First Information Report came to be registered belatedly on 25.09.2018 without any cogent explanation.

Considering the submission so advanced on behalf of the petitioners, particularly delay in registration of the First Information Report, this application is allowed.

Let the petitioners No. 2, namely, Azad Ansari, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1st, Jamui, in Sono (Charkapathar) P.S. Case No. 265 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to



appear before the Court on two consecutive occasions, his bail
bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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