

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37496 of 2019

Arising Out of P.S. Case No.-275 Year-2018 Thana- CHAKIA District- East Champaran

1. ANISH ANSARI @ MAIYUDDIN @ MD. ANISH ANSARI, Male, age-55 years Son of Mirzan Miya Resident of Village- Ganga Sirisiya, P.S.- Chakiya, District- East Champaran
2. Md. Salauddin, Male, age-35 years, Son of Anish Ansari Resident of Village- Ganga Sirisiya, P.S.- Chakiya, District- East Champaran
3. Md. Sanaullah @ Sanaullah Ansari @ Md. Samaullah, Male, age-30 years, Son of Anish Ansari Resident of Village- Ganga Sirisiya, P.S.- Chakiya, District- East Champaran
4. Mainulla @ Mainulha @ Md. Mainullah Ansari, Male, age-25 years, Son of Anish Ansari Resident of Village- Ganga Sirisiya, P.S.- Chakiya, District- East Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Md. Anis Akhtar, Advocate
For the Opposite Party : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-08-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 341, 323, 307, 354, 504 and 506 of the Indian Penal Code.

It is alleged that all the accused persons, armed with *bhala*, *garasa* etc. came to his house and started assaulting the informant and his family members due to which the informant's wife and his son were injured and, thereafter, all the accused persons fled away from the place of occurrence.

It is submitted on behalf of the petitioners that there is



case and counter case between the parties. It is further submitted that from perusal of the FIR itself, it is evident that no specific allegation of assault has been attributed to the petitioners rather the allegations are general and omnibus against them. Both sides received injuries. Petitioners have got no criminal antecedent. Admittedly there is land dispute between the parties.

Considering the facts aforesaid, let the petitioners above named, in the event of their arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIII, Motihari, East Champaran/successor Court in connection with Chakiya P.S.Case No.275 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the petitioners.

(Prabhat Kumar Singh, J)

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