

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21848 of 2019

Arising Out of PS. Case No.-1268 Year-2016 Thana- GAYA COMPLAINT CASE District-
Gaya

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1. MD. BASHIR ANSARI @ BASHIR ANSARI Son of Sadeep Ansari, Resident of Village- Painathi, P.S.- Kurtha, District- Arwal.
 2. Md. Shahid Ansari Son of Sadeem Ansari, Resident of Village- Painathi, P.S.- Kurtha, District- Arwal.
 3. Muslim Ansari Son of Late Mohiuddin Ansari, Resident of Village- Lodipur, P.S.- Khizersarai, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lalita Devi Wife of Bhola Paswan, Resident of Village- Lodipur, P.S.- Khizersarai, District- Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheikh Arkan Ahmad
For the Opposite Party/s : Mr. Tapeswar Sharma

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 08-04-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Complaint Case No.1268C/2016 registered for offence punishable under sections 341, 452, 354/34 of the Indian Penal Code.

Allegation has been made that they have entered into the house of complainant and tried to outrage her modesty and when the alarm was raised, the witnesses have reached there whereupon the accused persons have fled away from there.

The learned counsel for the petitioner submits that the



present case has been lodged after lodging of case by Muslim Ansari who has been arrayed as accused in the complaint petition and having stated that it is a malicious prosecution attributing the false allegation against this petitioner.

Looking to the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he, in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st Class, Gaya in connection with Complaint Case No.1268C/2016, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Shivaji Pandey, J)

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