

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33237 of 2019

Arising Out of PS. Case No.-12 Year-2019 Thana- BATHNAHA District- Sitamarhi

1. GUDDU ANSARI Son of Sakim Ansari Resident of Village- Kumma, Police Station- Bathanaha, District- Sitamarhi.
2. Laddu Ansari @ Md. Salauddin Ansari Son of Sakim Ansari Resident of Village- Kumma, Police Station- Bathanaha, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Senior Advocate Mr. Ashok Kumar Jha, Advocate
For the Opposite Party/s	:	M/s Gulnar Begum, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 22-05-2019 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners being the full brother and son of Sakim Ansari are apprehending their arrest in connection with Bathanaha P.S. Case No. 12 of 2019 for the offence registered under Sections 323, 395, 354, 504 and 506/34 of the Indian Penal Code.

Learned Senior counsel appearing on behalf of the petitioners submits that the present case is sequel to the earlier case filed by the mother of the petitioners against Mustak Ansari, who was one of the accused in the case filed by the mother of these petitioners for the kidnapping of their sister. It is



further submitted that only to humiliate the petitioners, the informant of the present case has lodged the present complaint case giving the date of occurrence one day prior to the occurrence as has been given by the petitioners' mother in her first information report dated 17.11.2018 bearing Sursand P.S. Case No. 303 of 2018 under Section 366/34 of the Indian Penal Code (Annexure-3 to the supplementary affidavit). It is further submitted that sister of the present petitioners in her statement made before the police under Section 164 Cr.P.C. had specifically named Mustaq Ansari as one of the accused and it is for this reason that the petitioners have been roped in and falsely implicated in connection with the present case.

Considering the aforesaid facts and circumstances of the case and the theory of false implication and also on account of the fact that the petitioners have no criminal antecedents, let the petitioners, above named, in the event of their arrest/surrender before the learned Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Sitamarhi in connection with Bathanaha P.S. Case No. 12 of 2019, subject to the conditions as



laid down under Section 438(2) of the Code of Criminal
Procedure.

(Anjana Mishra, J)

Jagdish/-

U			
---	--	--	--

