

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31407 of 2019

Arising Out of PS. Case No.-64 Year-2019 Thana- GOPALGANJ TOWN District- Gopalganj

1. QYAMUDDIN ANSARI @ QYAMUDDIN @ KAYAMUDDIN Son of Late Mustaque Ansari.
2. Neyaz Ansari Son of Qyamuddin Ansari @ Qyamuddin @ Kayamuddin.
3. Azaharuddin Ansari @ Azaruddin Ansari Son of Qyamuddin Ansari @ Qyamuddin @ Kayamuddin all are Resident of Village- Semara Purab Tola, P.S.- Gopalganj, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh
For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-07-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners seek bail in a case registered for the
offence punishable under Sections 341, 342, 323, 324, 325, 307,
302/34 of the Indian Penal Code.

Allegation against the petitioners is that they along
with co-accused have assaulted the entire family members with
deadly weapons due to which the daughter of the informant
succumbed to the injury during course of treatment at
Gorakhpur.

It has been submitted on behalf of the petitioners that



they are innocent, bear no criminal antecedent and have been falsely implicated in the aforesaid case. He submits that there is specific allegation against Irshad Ansari who gave khanti blow on the head of the informant's daughter who later on died. He further submits that there is no specific allegation against the petitioners to assault the deceased. The injury is found to be simple in nature. The petitioners are in judicial custody since 25.03.2019.

In the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in connection with Gopalganj Town Police Station Case No. 64 of 2019, subject to the conditions:-

(I) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(II) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and their absence on two consecutive dates without sufficient



reasons, their bail bond shall be cancelled by the court below.

(III) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Anjani Kumar Sharan, J)

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