

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36299 of 2019

Arising Out of PS. Case No.-655 Year-2014 Thana- FORBESGANJ District- Araria

1. JAMAT ANSARI @ JAMAT Son of Late Kallar @ Hefajuddin Ansari Resident of Village - Rampur Dakshin, Forbesganj, P.S.- Forbesganj, Dist.- Araria.
2. Md. Ekram @ Ekram Ansari @ Md. Akram Son of Late Sabir Resident of Village - Rampur Dakshin, Forbesganj, P.S.- Forbesganj, Dist.- Araria.
3. Md. Asfaque Son of Late Sabir Resident of Village - Rampur Dakshin, Forbesganj, P.S.- Forbesganj, Dist.- Araria.
4. Md. Akbal Ansari Son of Late Sabir Resident of Village - Rampur Dakshin, Forbesganj, P.S.- Forbesganj, Dist.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh, Adv
For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 11-06-2019 Heard learned counsel for the petitioners as well as
learned APP.

Deceased was taken away by the petitioner no.3, Md. Asfaque to Patna on the pretext of providing a job and then thereafter, his dead body was taken back over Ambulance on 19.09.2014 having so many injuries over the person.

From the order impugned, it is evident that so many multiple ante-mortem injuries have been found which happens to be the real cause of death. Non explanation at the end of petitioner no.3 disentitles him to seek prayer for anticipatory



bail irrespective of the fact that police after investigation submitted final form, differing therefrom the learned lower court has taken cognizance for an offence punishable under Sections 302, 201/34 of the IPC vide order dated 12.01.2018.

Accordingly, prayer for anticipatory bail of petitioner no.3, Md. Asfaque is rejected.

So far remaining petitioners, namely, 1. Jamat Ansari @ Jamat, 2. Md. Ekram @ Ekram Ansari @ Md. Akram, 3. Md. Akbal Ansari are concerned, they are, in the event of arrest/surrender within four weeks from the date of order, directed to be released on bail on furnishing bail bond of Rs. 10,000/- each with two securities of the like amount each to the satisfaction of Chief Judicial Magistrate, Araria in connection with Forbesganj PS Case No. 655 of 2014, subject to the condition as laid down under Section 438(2) of the CrPC.

(Aditya Kumar Trivedi, J)

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