

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40454 of 2019**

Arising Out of PS. Case No.-184 Year-2018 Thana- SIKTI District- Araria
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1. RAMJAN ANSARI, aged about 40 years, male, Son of Azaiz Ansari Resident of Village - Bardaha, P.S.- Sikti (Bardaha), District- Araria
2. Ghotai Ansai @ Sarfuddin Ansari @ Sarfuddin Asari, aged about 62 years, male, Son of Late Durai Ansari Resident of Village - Bardaha, P.S.- Sikti (Bardaha), District- Araria
3. Sajjed Ansari @ Sazzad Ansai, aged about 21 years, male, Son of Ramjan Ansari Resident of Village - Bardaha, P.S.- Sikti (Bardaha), District- Araria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Kundan Kumar Singh, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 03-07-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 324, 354B, 379, 34 of the Indian Penal Code registered in connection with Sikti (Bardaha) P.S. Case No. 184 of 2018.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of family dispute as the parties are living in the same house. The informant is the daughter-in-law of petitioner no. 2 and as such the accusations of the nature alleged are high improbable. There is no injury report to corroborate the accusations of assault by *dabia* and *sticks*. There is delay in institution of the F.I.R. on 27.10.2018 for the alleged occurrence of 20.10.2018. The petitioners claim clean antecedents.



4. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of Sri S.K. Sharma, learned Judicial Magistrate 1st Class, Araria in connection with Sikti (Bardaha) P.S. Case No. 184 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors of each of the petitioners shall be their close relatives other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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