

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64198 of 2018

Arising Out of PS. Case No.-126 Year-2018 Thana- MIRGANJ District- Gopalganj

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1. Imteyaj Ansari @ Imteyaj Alam son of Safique Ansari,
 2. Sarfaraj Ansari son of Safique Ansari,
 3. Both are of resident of Village- Chhap, Police Station- Mirganj, District- Gopalganj.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Lokesh Kumar Singh, Advocate
For the Opposite Party : Mr. Jitendra Kr. Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 03-01-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 149, 341, 323, 308, 379, 504 and 448 of the Indian Penal Code registered in connection with Mirganj P.S. Case No. 126 of 2018.

3. It is submitted that there is case and counter case between the parties who are close *pattidars*. The allegation of assault is general and omnibus in nature and no specific injury is attributed to the assault by the petitioners. Similarly situated co-accused namely, Ali Imam and Qyamuddin Ansari have been granted anticipatory bail by the court below itself in A.B.P. No. 1475 of 2018. The petitioners claim clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, 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 bonds of Rs.10,000/- (ten



thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XVI, Gopalganj, in connection with Mirganj P.S. Case No. 126 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. as well as with following conditions –

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

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

(iii) 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.

(iv) 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.

BT/Chandran

(Vikash Jain, J)

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