

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52735 of 2019

Arising Out of PS. Case No.-216 Year-2019 Thana- PURNEA SADAR District- Purnia

SALIM ANSARI S/o Md. Jakir Ansari R/o Village- Kishanpur, Bhathodia,
P.S.- Sadar (Muffasil), District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner, being the elder brother of the husband of the victim, is apprehending arrest in a case registered for the offence punishable under Section 306/34 of the I.P.C.

The accusation is that the informant's sister, Sahnaz Begum was married with co-accused, Habib Ansari about three years prior to lodging of the present case, but on 01.05.2019, the sister of the informant committed suicide since her husband's elder brother, Jalil Ansari wanted to establish illicit relationship with her and on protest being made, she was being tortured by all the accused persons, including the petitioner.

It is submitted by learned counsel for the petitioner that that the thrust of accusation is against co-accused, Jalil Ansari. Though the petitioner is also elder brother of the victim's



husband. It is further submitted that co-accused, Khalil Ansari with similar accusation has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 18.10.2019, passed in Criminal Miscellaneous No. 60180 of 2019, whereas, co-accused, Jamila Khatoon and Habib Ansari have been granted bail by a Co-ordinate Bench of this Court vide order dated 19.09.2019, passed in Criminal Miscellaneous No. 58146 of 2019. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State after going through the case diary that the petitioner is named in the FIR, though the thrust of accusation is against co-accused, Jalil Ansari.

Considering the thrust of accusation against co-accused, Jalil ansari, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Purnea, in connection with Sadar (Muffasil) P.S. Case



No.216 of 2019, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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