

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64957 of 2019

Arising Out of PS. Case No.-144 Year-2019 Thana- PARIHAR District- Sitamarhi

1. SALIM ANSARI @ SAMIM ANSARI Son of Majibul Ansari @ Majibul Resident of Village - Sutihara, Ward No.7, P.S.- Parihar, Distt.- Sitamarhi.
2. Shahnaj Khatoon W/o Shakeel Sheikh Resident of Village - Sutihara, Ward No.7, P.S.- Parihar, Distt.- Sitamarhi.
3. Majibul Ansari @ Majibul Son of Late Najib Ansari Resident of Village - Sutihara, Ward No.7, P.S.- Parihar, Distt.- Sitamarhi.
4. Farmuda Khatoon W/o Majibul Ansari @ Majibul Resident of Village - Sutihara, Ward No.7, P.S.- Parihar, Distt.- Sitamarhi.
5. Shakeel Sheikh Son of Shalim Sheikh Resident of Village - Sutihara, Ward No.7, P.S.- Parihar, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha
For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-10-2019 Petitioners seek bail in anticipation of their arrest in connection with Parihar P.S. Case No. 144 of 2019, registered for the offences punishable under Sections 341, 323, 324, 307, 504, 379/34 of the Indian Penal Code.

As per F.I.R petitioners are named in the F.I.R. There is allegation against petitioner No. 1 of assault of informant and wife of informant on her head by rod and there is also specific allegation against one co-accused Amin Ansari.

Submission of the learned counsel for the petitioners



is that there is case and counter case between the parties and injuries are sustained by both sides. It has also been submitted that so far as petitioner No. 2 to 5 are concerned there is no specific allegation against them.

Learned A.P.P. for the State has opposed the prayer of bail on the ground that opinion regarding injuries on the head of the wife of the informant kept reserved. Hence, they do not deserve privilege of anticipatory bail.

Having heard both sides. So far as petitioner no.1 is concerned, in view of the allegation, I am not inclined to grant privilege of anticipatory bail to him, however, he is directed to surrender before the learned Court below and make prayer for regular bail and Court below shall consider the matter on its own merit without and pass on order being prejudiced by order of this court.

So far as petitioner No.2 to 5 are concerned, considering the above submission, this application allowed. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Five Thousand) each with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Parihar P.S. Case No. 144 of 2019, subject to



the condition laid down under Section 438 (2) of the Code of Criminal Procedure and further condition is that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the Court concerned.

With the aforesaid condition this application stands disposed of.

(Vinod Kumar Sinha, J)

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