

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79011 of 2019

Arising Out of PS. Case No.-173 Year-2019 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

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1. SARFRAJ ANSARI @ SARFARAJ ANSARI @ DUKHI ANSARI, aged about 45 years, Gender-Male, son of Late Kashim Miya.
 2. Ilias Ansari @ Iliyas Ansari, aged about 50 years, Gender-Male, Son of Late Barfati Miya.
 3. Saddam Ansari, aged about 28 years, Gender-Male, Son of Salim Ansari.
 4. Juber Ansari, aged about 30 years, Gender-Male, Son of Salim Ansari.
 5. Mobin Ansari, aged about 38 years, Gender-Male, Son of Mohammad Ansari.
 6. Isaroyal Ansari, aged about 26 years, Gender-Male, Son of Late Rafik Ansari.
 7. Sher Mohammad Ansari, aged about 32 years, Gender-Male, Son of Late Aalim Ansari.
 8. Sajid Ansari @ Sonu @ Sonu Ansari, aged about 20 years, Gender- Male, Son of Izhar Ansari.
 9. Manuddin Ansari @ Mainuddin Ansari, aged about 27 years, Gender-Male, Son of Late Khalil Miya.
 10. Nasim Ansari, aged about 34 years, Gender- Male, Son of Late Jalim Ansari
- All are resident of Village - Kochadi, P.S. - Bhagwanpur, District - Kaimur (Bhabua).

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Kumar Sunil, Advocate

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioners and
learned counsel for the State.

It has been informed by learned counsel for the
petitioners submits that petitioner no.1 and 6 have been arrested.



Hence, the prayer for bail on behalf of petitioner nos. 1 and 6 is rejected.

In this case, the petitioners are seeking anticipatory bail in connection with Bhagwanpur P.S. Case No.173 of 2019, registered for the offence under Sections 147, 148, 149, 188, 353, 332, 333, 337 and 338 of the Indian Penal Code.

As per the F.I.R. a Tajiya procession was on through the root, but as soon as, the said Tajiya procession passed through the premises of Durga Mandir, some members of the procession, tried to stop its movement. In the meantime, 50-60 persons from the back of the temple attacked the people of the procession with lathi, danda and bricks.

Learned counsel for the petitioners submits that the allegation made in the F.I.R. are general and omnibus in nature, inasmuch as, no specific allegation has been made against these petitioners.

Considering the entire facts and circumstance of the case, let the above-named petitioners, be released on anticipatory bail in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the



satisfaction of the Additional Chief Judicial Magistrate-5, Kaimur (Bhabhua), in connection with Bhagwanpur P.S. Case no.173 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure. Further condition is that whenever the police will call the petitioners for the purposes of investigation and interrogation, they will remain present for the investigation. In the event of being absent on two consecutive dates without reasonable explanation, the present order will be treated to have been cancelled. This is also subject to the condition that if the petitioners would be found involved in similar type of action in future, the prosecution will be at liberty to make prayer for cancellation of bail of the petitioners.

(Shivaji Pandey, J)

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