

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7540 of 2020

Arising Out of PS. Case No.-227 Year-2018 Thana- GURUA District- Gaya

1. MD. MOIBUDDIN ANSARI @ MD. MOBINUDDIN Son of Azim Miyan Resident of Village-Sukulkhap, P.S.-Gurua, District-Gaya.
2. Shahni Khatoon @ Sahani @ Shahni Praveen Wife of Md. Gulzar Ansari @ Gulzar Ahmad Resident of Village-Sukulkhap, P.S.-Gurua, District-Gaya.
3. Md. Umar Farukh Son of Md. Kurban Resident of Village-Sukulkhap, P.S.-Gurua, District-Gaya.
4. Md. Sagir Ansari @ Sagir Ahmad Son of Md. Salim Mian @ Saleem Resident of Village-Sukulkhap, P.S.-Gurua, District-Gaya.
5. Md. Shalauddin Mian Son of Md. Kasim Mian Resident of Village-Sukulkhap, P.S.-Gurua, District-Gaya.
6. Ansar Ahmad @ Md. Ansar Ahmad Son of of Late Sobrati Miyan Resident of Village-Sukulkhap, P.S.-Gurua, District-Gaya.
7. Md. Gaffar Miyan @ Md. Gaffar Son of Shahadat Miyan Resident of Village-Sukulkhap, P.S.-Gurua, District-Gaya.
8. Sultan Ansari @ Md. Sultan Son of Alauddin Mian Resident of Village-Sukulkhap, P.S.-Gurua, District-Gaya.
9. Md. Makbul Ansari @ Md. Makbul Son of Md. Kamaluddin Miyan Resident of Village-Sukulkhap, P.S.-Gurua, District-Gaya.
10. Ajmeri Khatoon Wife of Haidar Miyan @ Haider Alee Resident of Village-Sukulkhap, P.S.-Gurua, District-Gaya.
11. Md. Zahid Ansari @ Zahid Abdul Sattar Ansari Son of Late Abdul Sattar Ansari Resident of Village-Sukulkhap, P.S.-Gurua, District-Gaya.
12. Shahabuddin Ansari @ Md. Shahabuddin Son of Shamsuddin Miyan Resident of Village-Sukulkhap, P.S.-Gurua, District-Gaya.
13. Ajmerin Khatoon @ Ajmeri Khatoon Wife of Md. Nijamuddin Ansari @ Alamgeer Ansari Resident of Village-Sukulkhap, P.S.-Gurua, District-Gaya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr.Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 03-03-2020 Heard learned counsel for the petitioners and learned
APP for the State.



The petitioners in this case are seeking anticipatory bail in connection with Gurua P.S. Case No. 227 of 2018 registered for the offence under Sections 147, 148, 149, 341, 342, 323, 332, 333, 337, 338, 307, 188, 427, 353, 504/506 of the Indian Penal Code.

Learned counsel for the petitioners has submitted before this Court that these petitioners are named among 68 persons in the FIR but there is no specific allegation of committing any overt act as against these petitioners. It is further submitted that similarly situated co-accused persons have been granted privilege of anticipatory bail by learned co-ordinate Benches of this Court in the various orders which have been brought on record vide Annexure '2' series and the case of these petitioners stands on similar footing with that of those who have been granted privilege of anticipatory bail.

In the given facts and circumstances of the case, on finding that similarly situated accused persons have been granted privilege of anticipatory bail and this fact has not been controverted by learned APP for the State, let the petitioners above named in case of their arrest or surrender within a period of four weeks from today in connection with Gurua P.S. Case No. 227 of 2018 be released on bail on furnishing of bail bonds



of Rs.15,000/- (fifteen thousand) each with two sureties of the like amount to the satisfaction of learned S.D.J.M., Sherghati, Gaya, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required:

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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