

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13517 of 2020

Arising Out of PS. Case No.-532 Year-2015 Thana- TURKAULIYA District- East
Champaran

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1. ALI HASAN ANSARI @ ALI HASSAN S/o Gulzar Ansari Resident of Village- Belwa Tiwari Tola, P.S.- Turkauliya, District- East Champaran.
 2. Naiyar Hassan @ Naiyar Alam S/o Ali Hassan Ansari @ Ali Hassan Resident of Village- Belwa Tiwari Tola, P.S.- Turkauliya, District- East Champaran.
 3. Perwez Alam @ Parwez Aalam S/o Ali Hassan Ansari @ Ali Hassan Resident of Village- Belwa Tiwari Tola, P.S.- Turkauliya, District- East Champaran.
 4. Tabrez Alam S/o Ali Hassan Ansari @ Ali Hassan Resident of Village- Belwa Tiwari Tola, P.S.- Turkauliya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.Iii
For the Opposite Party/s : Mr.Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-06-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case
registered under Sections 341, 323, 379, 307, 504 and 34 of the
Indian Penal Code.



Allegedly, while the informant was going to offer Namaz, in the way, the accused persons having armed with knife, farsa, lathi etc in their hands, intercepted him and gave repeated knife blows on the informant, as a result of which, the informant sustained injury and blood started oozing. It is also alleged that one of the accused took away Rs. 5,000/- from the pocket of the informant. The other family members of the informant are also said to have been assaulted.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. The police after investigation, submitted charge sheet under Sections 341, 323, 325, 504, 506 and 34 of the Indian Penal Code only. So far offence under Section 307 of the Indian Penal Code is concerned, the same was found to be false by the police. The court below differed with the police report and took cognizance for an offence under Section 307 of the Indian Penal Code also.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the



case and also the lockdown, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of R. K. Sonu, learned Judicial Magistrate-Ist Class, Motihari, East Champaran in connection with Turkauliya P.S. Case No. 532 of 2015 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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