

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24582 of 2020

Arising Out of PS. Case No.-9 Year-2020 Thana- PRATAPGANJ District- Supaul

EID MOHAMMAD ANSARI Son of Late Rafik Ansari @ Rafo Ansari
Resident of Village - Bhawanipur North, Police Station - Pratapganj, District -
Supaul.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 21-09-2020 . As of now the Courts have not resumed normal physical
hearing, the matter has been listed today for consideration through
Video Conferencing.

The learned counsels are appearing and making
submissions from their residence. The Court Master and Secretary
are also part of this virtual court proceedings from their homes, all
with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned
Counsel for the State.

This Court would expect that the petitioner's Counsel
would honour his undertaking in the instant proceedings
regarding supply of requisite court fee etc. within two weeks
from the date he is called upon to do so by the office.

Petitioner seeks bail in Pratapganj PS Case No. 9 of 2020
registered under Sections 341, 447, 324, 325, 379, 354(A), 504,
506/34 and 302 of the IPC.

The informant has given a written report that on 22.1.2020



the petitioner along with other co-accused assaulted her with stick and farsa. Father-in-law of the informant, her daughter and mother-in-law were also assaulted when they intervened. Injuries are alleged to be upon the mother-in-law and father-in-law as well as daughter. During treatment father-in-law has died.

Learned Counsel for the petitioner submits that the petitioner is aged about 60 years. Section 302 IPC has been added much later after father-in-law of the informant died on 31.1.2020. Annexure 2 would show that the injuries sustained were simple. Even as per the prosecution case the petitioner came later and there is no assault attributed against the petitioner. There was a quarrel between the parties leading to case and counter case. Death has occurred due to improper treatment as the victim has succumbed on account of septicemia. The petitioner has no criminal antecedent and he is in custody since 1.2.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of SDJM Birpur (Supaul) in Pratapganj PS Case No. 9 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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