

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24727 of 2020**

Arising Out of PS. Case No.-662 Year-2019 Thana- HAJIPUR SADAR District- Vaishali

1. MD. TAHIR @ MD. TAHIR ANSARI Son of Budhu Mian Resident of Village- Gadai Sarai, P.S.- Hajipur Sadar, District- Vaishali. At present Resident of Village- Kopa, P.S.- Kopa, District- Saran
2. Md. Irshad Ansari Son of Md. Tahir Ansari Resident of Village- Gadai Sarai, P.S.- Hajipur Sadar, District- Vaishali. At present Resident of Village- Kopa, P.S.- Kopa, District- Saran
3. Md. Naushad Ansari Son of Md. Tahir Ansari Resident of Village- Gadai Sarai, P.S.- Hajipur Sadar, District- Vaishali. At present Resident of Village- Kopa, P.S.- Kopa, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Mukesh Kumar Singh, Adv.  
For the Opposite Party/s : Mr. Khurshid Anwar, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

3      22-12-2020                      Heard learned counsel for the petitioners and learned  
APP for the State, through video conferencing.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Hajipur Sadar P.S. Case No. 662 of 2019, registered under sections 302 and other sections of the Indian Penal Code.

As per allegation in the FIR, the accused persons including the petitioners herein as also Md. Azad Ansari are stated to have come variously armed, they abused the informant and his father and assaulted the father of the informant with rod



and butt of rifle and pistol etc. It is stated that the father of the informant was treated in the Sadar Hospital at Hajipur and PMCH, Patna, wherein in course of treatment he died.

It is submitted by learned counsel for the petitioners that the allegations as levelled in the FIR are false and concocted. For an occurrence alleged to have taken place on 17.8.2019, information was given to the police station and FIR was registered after an unexplained delay on 10.10.2019. It is submitted that no external injury has been found in the postmortem report on the body of the deceased. Co-accused Md. Sonu Ansari and Md. Azad Ansari have been enlarged on anticipatory bail by order dated 29.6.2020 (Annexure-I) passed in Cr. Misc. No. 5288 of 2020.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the delay in lodging of the FIR as also grant of bail to co-accused, the Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of eight weeks from today and in the event of their arrest or surrender in connection with Hajipur Sadar P.S.



Case No. 662 of 2019, they will be enlarged on bail on each of them furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur subject to the condition as laid down under section 438(2) of the Cr.P.C.

**(Partha Sarthy, J)**

sushma/-

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