

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68592 of 2019

Arising Out of PS. Case No.-84 Year-2019 Thana- TARAIIYA District- Saran

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1. Aftab Ansari, Son of Sattar Ansari, Resident of Village-Mukundpur, P.S.- Taraiya, District-Saran.
 2. Azad Ansari, Son of Sattar Ansari, Resident of Village-Mukundpur, P.S.- Taraiya, District-Saran.
 3. Saddam Ansari, Son of Sattar Ansari, Resident of Village-Mukundpur, P.S.- Taraiya, District-Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad
For the Opposite Party/s : Mr. Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 18-02-2020 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners are accused in connection with Taraiya P.S. Case No. 84 of 2019, registered under Sections 147, 148, 149, 341, 323, 307, 302 and 504 of the Indian Penal Code, pending in the court of Chief Judicial Magistrate, Saran at Chapra.

The accusation is that six persons named in the FIR including the petitioners due to land dispute assaulted the brother of the informant with iron rod and lathi. When Tarik Anwar and Rinku, nephew of the informant came to save the



brother of the informant then they were also assaulted by Shamim Ansari, Haidar Ansari and Mokhtar Ansari.

Learned counsel for the petitioners submits that it would appear from the FIR that informant is not the eye witness of the occurrence and the place of occurrence is village Mukundpur, while the informant's village is Madhopur. As such, reaching of nephews of informant at the place of occurrence on hearing of cry is doubtful. Further submission is that while it is alleged that six persons assaulted the deceased, brother of the informant, but only three injuries were found on the persons of the deceased.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioners, I am not inclined to grant bail to the petitioners. Accordingly, their prayer for grant of bail stands rejected. However, petitioners would be at liberty to renew their prayer for bail after six months.

(Rajendra Kumar Mishra, J)

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