

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75237 of 2019

Arising Out of PS. Case No.-194 Year-2018 Thana- SISWAN District- Siwan

1. Mazhar Ali @ Mazhar Ali Ansari S/o Aslam Ansari R/o village- Gayaspur Mathiya, P.S.- Siswan, District- Siwan
2. Mihir Ansari S/o Isu Ansari R/o village- Gayaspur Mathiya, P.S.- Siswan, District- Siwan
3. Yusuf Ansari S/o Abdul Haque Ansari R/o village- Gayaspur Mathiya, P.S.- Siswan, District- Siwan
4. Ebroj Ansari @ Eborej Ansari S/o Mushtaque Ansari R/o village- Gayaspur Mathiya, P.S.- Siswan, District- Siwan
5. Afroj Ansari S/o Mushtaque Ansari R/o village- Gayaspur Mathiya, P.S.- Siswan, District- Siwan
6. Saddam Hussain S/o Aslam Ansari R/o village- Gayaspur Mathiya, P.S.- Siswan, District- Siwan

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Irshad Ahmad Khan, Advocate
For the Opposite Party : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 16-06-2020 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State via video conferencing.

The petitioners seek pre-arrest bail in connection with Siswan P. S. Case No. 194 of 2018 registered under Sections 143, 144, 145, 325, 326, 324, 307, 354, 120B and 134 of the Indian Penal Code.

It is submitted by the learned counsel for the



petitioners that though the alleged offence took place on 20.07.2008, the complaint was filed on 26.07.2018, which was referred to the police in exercise of powers conferred under Section 156(3) of the Code of Criminal Procedure, pursuant to which the FIR was instituted on 03.10.2018. It is further contended that the present case has been instituted due to previous enmity. The cause of enmity is that son of the petitioner no.1, namely, Saif Ali aged nine years had been kidnapped on 17.06.2018 and regarding that occurrence, the petitioner no. 1 had lodged an FIR vide Siswan P.S. Case No. 115 of 2018 against one of the accused, namely, Azimullah Ansari son of Hadis Ansari, who belongs to the family of the informant Mahfooz Alam.

Learned Additional Public Prosecutor for the State has opposed the prayer for grant of pre-arrest bail to the petitioners.

Considering the nature of offence, submissions advanced at the Bar and the plea of innocence taken in the application, in the event of arrest or surrender before the court below, the petitioners named above are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the



satisfaction of learned ACJM-10, Siwan in Siswan P. S. Case
No. 194 of 2018, subject to the conditions as laid down under
Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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