

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8541 of 2020

Arising Out of PS. Case No.-251 Year-2019 Thana- SASARAM MUFFSIL District- Rohtas

SADDAM ANSARI Son of Israil Ansari Resident of Village - Basuhta, P.S.-
Sasaram (M), Dist.- Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Fazle Karim, Advocate

For the Opposite Party/s : Mr. Md. Anbzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 06-04-2021 Heard Mr. Md. Fazle Karim, learned counsel for
the petitioner and the learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Sasaram (M) P.S. Case No. 251 of 2019 dated 30.07.2019 instituted for the offences under Sections 341, 323, 325, 307, 379, 354 and 34 of the Indian Penal Code.

One Sarita Devi has lodged a case alleging that the petitioner had asked for cigarette from the shop of the informant for free and when the same was refused, he became aggressive. He is said to have assaulted the father-in-law of the informant by means of a hard and blunt substance leading to fracture of his ulna. Other accused persons also are said to have assaulted the father-in-law of the informant and another.



It has been submitted on behalf of the petitioner that in fact the entire case is false and the allegations are concocted. The nephew of the informant viz. Sonu Kumar had in the past molested the sister of the petitioner as a result of which there was dispute between the family of the informant and the petitioner.

With respect to that occurrence, the father of the petitioner had filed a complaint case before the court below vide Complaint Case No. 785 of 2019. It has also been submitted that the petitioner also got injured in the occurrence for which he was treated. Some of the other accused persons of this case have been granted anticipatory bail by the court below.

Perused the case diary.

It appears that one of the injuries received by the father-in-law of the informant has been reported to be grievous.

In that view of the matter, I am not inclined to grant anticipatory bail to the petitioner.

The prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the court below and seeks bail, it shall be considered on its own merits, taking into account the background facts and that other accused persons have been granted bail and order shall be passed in accordance with law without



being prejudiced by the fact that the present petition has not been entertained.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

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