

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22792 of 2021

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

Md Najam Ansari, S/o Raffo Ansari Resident of Village- Bhawanipur Uttar,
Ward No.9, Duaniya, P.S.- Pratapganj, District- Supaul

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Adv.

For the Opposite Party/s : Mr. Ajay Kumar No.2, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 22-11-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner seeks bail in connection with
Pratapganj P.S. Case No.09 of 2020 registered under Sections
341, 447, 323, 324, 325, 379, 354(A), 504, 506/34 of the Indian
Penal Code.

The prosecution case in brief is that petitioner along
with co-accused assaulted the informant 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 as well as daughter. During treatment
father-in-law has died.

Learned counsel appearing on behalf of the petitioner



submits that there is general and omnibus allegation made in the FIR and from perusal of the FIR itself the main allegation is against co-accused Md. Salauddin Ansari and Md. Alauddin Ansari who inflicted assault on the injured persons. Learned counsel for the petitioner further submits that there is case and counter case and to that effect he has made a specific statement in paragraph-10 in which he has stated that Pratapganj P.S. Case No.10 of 2020 also lodged against the present informant and her family members. Learned counsel for the petitioner further submits that similarly situated co-accused one Eid Mohammad Ansari has been released on bail vide order dated 21.09.2020 passed in Cr. Misc. No.24582 of 2020 and petitioner seeks similar parity. Learned counsel for the petitioner submits that the petitioner is languishing in jail since 26.07.2020.

Considering the allegation made in the FIR, it appears that no specific allegation of assault has been made against the petitioner and similarly situated co-accused has been released on bail by this Court vide order dated 21.09.2020 passed in Cr. Misc. No.24582 of 2020, I am inclined to release the petitioner on bail on furnishing bail bond of Rs.20,000/-(Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M, Birpur at Supaul in connection



with Pratapganj P.S. Case No.09 of 2020 subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Purnendu Singh, J)

Prakash Narayan /-

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