

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36039 of 2021

Arising Out of PS. Case No.-197 Year-2020 Thana- DINARA District- Rohtas

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1. SARFARAJ ANSARI S/o Firoj Ansari R/o village- P.O. and P.S.- Dinara, District- Rohtas at Sasaram
 2. Dhannu Ansari S/o Shahbuddin Ansari R/o village- P.O. and P.S.- Dinara, District- Rohtas at Sasaram
 3. Jaffar Ansari S/o Idrish Ansari R/o village- P.O. and P.S.- Dinara, District- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ras Bihari Thakur, Advocate
For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-12-2021 Heard learned counsel for the petitioners and learned
APP for the State.

Counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

Counsel for the petitioners seeks permission to withdraw the present application on behalf of petitioner Nos.1 and 2, as the petitioner Nos.1 and 2 have been taken into judicial custody.

Permission is accorded.

The application filed on behalf of petitioner Nos.1 and



2 is dismissed as withdrawn.

The petitioner No.3 is apprehending his arrest in connection with Dinara P.S. case No.197 of 2020 registered under Sections 147, 149, 448, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code.

Allegation is that the accused persons having sword, garasa, farsa in their hands surrounded the informant and accused Reja Ansari gave farsa blow on his head, due to which he sustained head injury and accused Rinku Ansari snatched golden chain from the neck of informant's daughter and gave sword blow on her head, due to which he sustained head injury.

It has been submitted on behalf of the petitioner No.3 that the petitioner No.3 has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner No.3. The petitioner No.3 has falsely been implicated in the present case. The petitioner No.3 is order giver. It is a case and counter case between the parties. Free fight is alleged to have taken place. The injuries on the side of the accused persons have not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioner No.3 is named in the complaint case/F.I.R.



Considering the facts and circumstances of the case, the petitioner No.3, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bikramganj (Rohtas) in connection with Dinara P.S. case No.197 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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