

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34084 of 2020

Arising Out of PS. Case No.-251 Year-2020 Thana- RANIGANJ District- Araria

1. Md. Nijam Ansari @ Najam S/o Md. Kari, Resident of Village-Gopalpur, Ward No. 9, P.S.-Raniganj, District-Araria.
2. Md. Suleman @ Suleman Mian S/o Late Ismail, Resident of Village-Gopalpur, Ward No. 9, P.S.-Raniganj, District-Araria.
3. Md. Jamal @ Md. Jamala S/o Late Ismail, Resident of Village-Gopalpur, Ward No. 9, P.S.-Raniganj, District-Araria.
4. Md. Mukhtar @ Md. Muktar @ Mukhtar S/o Md. Jamal, Resident of Village-Gopalpur, Ward No. 9, P.S.-Raniganj, District-Araria.
5. Md. Gaffar @ Md. Gaphphar @ Gaphphar, S/o Md. Jamal, Resident of Village-Gopalpur, Ward No. 9, P.S.-Raniganj, District-Araria.
6. Md. Parvej S/o Md. Suleman, Resident of Village-Gopalpur, Ward No. 9, P.S.-Raniganj, District-Araria.
7. Md. Saphak @ Md. Saphphak, S/o Md. Gujan Mian, Resident of Village-Gopalpur, Ward No. 9, P.S.-Raniganj, District-Araria.
8. Md. Alauddin @ Alauddin S/o Vajid, Resident of Village-Gopalpur, Ward No. 9, P.S.-Raniganj, District-Araria.
9. Md. Ashik @ Ashik S/o Md. Kudus, Resident of Village-Gopalpur, Ward No. 9, P.S.-Raniganj, District-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rana Ishwar Chandra, Adv.
For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 15-03-2021 Heard both sides.

Petitioners apprehend their arrest in Raniganj P.S.

Case No.251 of 2020 registered under Sections 341, 323, 324,
307, 379, 427, 504, 506 and 34 of the Indian Penal Code.

The informant alleged that Md. Nijam Ansari



(petitioner no.1) was assaulting his grandson. His grandson raised alarm. The informant went there and saw Md. Wazid, Md. Sarajuddin @ Kari, Md. Suleman (petitioner no.2), Md. Parwez (petitioner no.6), Md. Sahuddin, Md. Alauddin (petitioner no.8), Md. Kalam, Md. Jamal (petitioner no.3), Md. Saddam, Md. Muktar, Md. Gaffar (petitioner no.5), Md. Aphak, Md. Saphak (petitioner no.7), Ashik and Dilkhush were having armed with different weapons and started assaulting. Sahuddin assaulted the informant with sword on his head. The blood injury was caused. Imtiyaz Ansari, Sarafat Ansari (sons of the informant) and nephew Mahboob Ansari came to save the informant. Md. Aphak assaulted Imtiyaz Ansari with farsa on his head. Sarafat Ansari was assaulted with bricks and his nephew was assaulted with farsa due to which the finger of the nephew of the informant was cut.

Learned counsel for the petitioners submits that there is a counter version bearing Raniganj P.S. Case No.259 of 2020. There is no specific allegation of assault against any of the petitioners. It is further submitted that the informant, his sons and nephew got injuries but all injuries are simple in nature. On account of quarrel between the children of two families, there was a scuffle and mutual assault on each other and case and



counter case were registered.

Learned A.P.P., however, opposed the prayer for anticipatory bail.

It appears that the petitioners are of course named in the F.I.R. but no specific allegation of assault is made against the petitioners. The informant and others got simple injuries.

Taking into consideration the facts aforesaid, the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate VI, Araria in connection with Raniganj P.S. Case No.251 of 2020, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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