

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39698 of 2020

Arising Out of PS. Case No.-662 Year-2019 Thana- HAJIPUR SADAR District- Vaishali

MD. HASHBULLA ANSARI SON OF MD. HAFIZ ANSARI RESIDENT
OF VILLAGE- GADAI SARAI, P.S.- HAJIPUR SADAR, DISTRICT-
VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmesh Kumar

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-09-2021 Heard learned counsel for the petitioner and the State
through virtual mode.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks after restoration of normalcy.

The petitioner is apprehending his arrest in Hajipur Sadar
P.S. Case No. 662 of 2019 registered under Sections 147, 148,
149, 447, 341, 323, 325, 302, 504, 120(B) of the Indian Penal
Code.

Allegedly, the accused persons named in the FIR including
the petitioner, armed with deadly weapons, opened fire and
assaulted informant's father by rod, rifle and the butt of pistol,
which caused death of informant's father on 09-10-2019.



It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. The alleged occurrence is said to have taken place on 17-08-2019. The deceased is said to have succumbed to the injuries on 09-10-2019. Thereafter, the present case was instituted on 10-10-2019. The delay in instituting the FIR has not been explained by the prosecution. General and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. The other co-accused with similar allegation has been granted anticipatory bail by a coordinate bench of this court vide order dated 29-06-2020 passed in Cr. Misc. No. 5288 of 2020.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 662 of 2019, subject to the conditions as laid



down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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