

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39033 of 2020
Arising out of P.S. Case No. 75, year- 2020, Thana Pranpur, District
Katihar

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Tahjut Ansari @ Tajur Ansari @ Tajud Ansari, Male, aged about 25 years, S/O
Betul Ansari @ Baitul Ansari, R/O village- Bastaul, Momin Tola, P.S.
Pranpur, District Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opp. Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh, Adv.

For the Opp. Party/s : Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-06-2021

The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Shri Chandra Bhushan Prasad, the learned APP appearing for the State.

The petitioner apprehends his arrest in connection with Pranpur Case No. 75 of 2020 for the offence punishable under Sections 341, 323, 354A, 379, 504, 506/34 of the Indian Penal Code.

The case of the prosecution in brief is that on 18.04.2020, altercation had taken place in between the children



of both parties, whereafter the accused persons including the petitioner herein had also entered into an altercation with the informant and other members of the prosecution party. It is alleged that the petitioner had assaulted the members of the prosecution party and had tried to outrage the modesty of the wife of the informant.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent. The learned counsel for the petitioner has further submitted that the present case arises out of the case and counter case, the case filed by the accused persons being first in time inasmuch as the case filed on behalf of the accused persons bears Brahmpur P.S. case No. 74 of 2020 whereas the present case bears Brahmpur P.S. Case No. 75 of 2020. It is further alleged that both the sides had received injuries, hence the petitioner be granted the privilege of anticipatory bail.

Per contra, the learned APP appearing for the State, Shri Chandra Bhushan Prasad, has vehemently opposed the prayer for anticipatory bail, made by the petitioner and has submitted that the petitioner is the main accused in the present case and he has assaulted one Najrul Ansari on his head by iron rod on account of sustained grievous injury, hence



the petitioner has rightly been denied the privilege of anticipatory bail by the learned court below.

Having regard to the facts and circumstances of the case, considering the submissions made by the Ld. Counsel for the parties and taking into account the materials available on record as also considering the findings arrived at by the learned Sessions Judge, Katihar in the impugned order dated 19.09.2020 to the effect that the petitioner herein has assaulted one Najrul Ansari on his head by iron rod on account of which he has sustained grievous injury, this Court does not find the present case to be at least a fit case for grant of anticipatory bail, hence the present petition is dismissed.

(Mohit Kumar Shah, J)

Tiwary/-

