

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6229 of 2021

Arising Out of PS. Case No.-326 Year-2020 Thana- JOGAPATTI District- West Champaran

1. ZIYAUL ANSARI SON OF JAMALUDDIN ANSARI RESIDENT OF VILLAG E- PIPRA KACHARI TOLA, P.S. - YOGAPATTI, DISTRICT- WEST CHAMPARAN
2. MAINUDDIN ANSARI SON OF ZAHUR ANSARI RESIDENT OF VILLAG E- PIPRA KACHARI TOLA, P.S. - YOGAPATTI, DISTRICT- WEST CHAMPARAN
3. JAKIR ANSHARI SON OF KAMRUDDIN ANSARI RESIDENT OF VILLAG E- PIPRA KACHARI TOLA, P.S. - YOGAPATTI, DISTRICT- WEST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nachiketa Jha, Advocate

For the Opposite Party/s : Mr.Yogendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-11-2021 Heard the learned counsel for the petitioners and

Sri Yogendra Kumar, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail

in connection with Yogapatty(Yogapati) PS case no. 326 of 2020

registered for the offences punishable under Sections 188, 147,

148, 149, 295A of Indian Penal Code and 3 of Epidemic

Diseases Act.

The allegation is regarding members of two

communities having assembled at the place of occurrence and

having engaged in abusing each other as also they are alleged to



have engaged in disturbing the communal harmony during the lock down period.

The learned counsel for the petitioners has submitted that the petitioners are innocent, have been falsely implicated in the present case and are having a clean antecedent. The learned counsel for the petitioners has further submitted that there is no allegation of the petitioners having engaged in any kind of overt act and moreover, a general and omnibus allegation has been levelled against them.

Per contra, the learned APP for the State has vehemently opposed the prayer of bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record, this Court finds that firstly, the petitioners are having a clean antecedent and secondly, there is no specific allegation of them having engaged in any sort of overt act, thus I deem it fit and appropriate to admit the petitioners to the privilege of anticipatory bail. Accordingly, the abovenamed petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, are directed to be released on



anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., West Champaran, Bettiah in connection with Yogapatti (Yogapati) PS case no. 326 of 2020 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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