

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 8416 of 2021

Arising Out of PS. Case No.-114 Year-2020 Thana- SATHI District- West Champaran

VAJIR ANSARI S/o Late Ahsan Ansari Resident of Sirishiya, P.S.- Sathi,
District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-06-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Sathi P.S. Case No. 114 of 2020 registered under sections 302, 147, 148, 149, 341, 323 and 504 of the Indian Penal Code.

As per allegation in the F.I.R., it is stated by the informant that over a dispute relating to grazing of crops, the eight named accused persons including the petitioner herein came armed with *lathi*, *danda* etc and started to beat up the informant's brother. On the father of the informant coming to the rescue of his brother, it is stated that Tarabul Ansari, with the intention to kill struck with the *Lathi* on the head of the informant's father as a result of which he fell down. Thereafter,



the other seven named accused persons including the petitioner herein started to assault the informant's father as a result of which he died.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case which would be evident from the facts stated hereunder. Referring to the postmortem report of his father Kalam Ansari which has been brought on record as Annexure-2 to the petition, it is submitted that only one injury which is a swelling on the occipital area of head was found and on dissection a linear fracture of occipital bone was found. It is submitted that the said injury found in the postmortem report is directly attributable to co-accused Tarabul Ansari. It is further submitted that no other injury having been found on the body of the father of the informant, the general and omnibus allegation against the other accused including the petitioner herein are false and concocted. The petitioner is in custody since 21.7.2020 and charge-sheet has been submitted in the case.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties, the court finds substance in the submission of learned counsel for the



petitioner. Taking into consideration the facts and circumstances of the case, the contents of the postmortem report, the period in custody and chargesheet having been submitted in the case, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Sathi P.S. Case No. 114 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate III, Bettiah, West Champaran.

(Partha Sarthy, J)

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