

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18059 of 2021

Arising Out of PS. Case No.-74 Year-2020 Thana- DAWATH District- Rohtas

1. AFTAB ALAM Son of Late Jalil Ansari Resident of Village- Rasoolpur Bithwan, P.S.- Dawath, District- Rohtas.
2. Ehsan Ahmad Son of Sultan Ansari Resident of Village- Rasoolpur Bithwan, P.S.- Dawath, District- Rohtas.
3. Jamal Akhtar Son of Alam Ansari Resident of Village- Rasoolpur Bithwan, P.S.- Dawath, District- Rohtas.
4. Md. Rashid @ Folden Son of Rashid Ansari Resident of Village- Rasoolpur Bithwan, P.S.- Dawath, District- Rohtas.
5. Heyat Ali @ Hemayat Ali Son of Naseeb Ansari Resident of Village- Rasoolpur Bithwan, P.S.- Dawath, District- Rohtas.
6. Salimuddin Ansari Son of Mustak Ansari Resident of Village- Rasoolpur Bithwan, P.S.- Dawath, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Mukund Mohan Jha
For the Opposite Party/s	:	Mr. Rajani Kant Singh Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 20-01-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard the learned counsel for the petitioners and learned APP for the State as well as the learned counsel for the informant through the video conferencing.

The petitioners apprehend their arrest for the offences alleged under Sections 147, 149, 341, 323, 307, 504,



324, 354, 447 and 448 of the Indian Penal Code, registered in connection with Dawath P.S.Case No.74 of 2020.

As per the FIR, when the informant was walking after Aftari, the accused persons named in the FIR including the petitioners abused him and they badly assaulted him and his family members by *lathi*, *danda* etc. and made them badly injured.

The learned counsel for the petitioners has submitted that there is case and counter case and petitioner no.4 has also lodged a case of similar nature being Dawath P.S.Case No. 75 of 2020 against the informant's side. He has also submitted that the members of the petitioners' side have also sustained injuries in that assault.

The learned counsel for the informant has submitted that two persons of the informant's side have sustained grievous injury and the petitioners are the persons of criminal nature. The learned Additional Sessions Judge-21, Rohtas, in his order dated 17.12.2020, has noted that as per the paragraph no.48 of the case diary there are four criminal cases pending against the petitioners. The petitioners have themselves in paragraph 3 of the bail petition mentioned the details of those four cases.

Considering the facts and circumstances of the case,



as well as the criminal antecedents of the petitioners, as disclosed in paragraph no. 3 of the bail petition, I do not think it a fit case for anticipatory bail. Accordingly the prayer of anticipatory bail on behalf of the petitioners is rejected.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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