

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.11783 of 2022**

Arising Out of PS. Case No.-480 Year-2020 Thana- BANKA District- Banka

1. MD. IDRISH ANSARI @ IDRISH ANSARI @ IDRISH MIAN Son of Late Md. Gafur Ansari Resident of Village - Navtolia, P.s.- Banka, Distt.- Banka.
2. Ahmad Ansari @ Md. Ahmad Ansari Son of Late Habib Ansari Resident of Village - Navtolia, P.s.- Banka, Distt.- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mr.Yogendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

2      12-07-2022                      Let the defect(s), as pointed out by the office, be removed within a period of four weeks from today.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners seek regular bail in connection with Banka P.S. Case No. 480/2020 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 353, 504 of the Indian Penal Code, section 27 of Arms Act and sections 3/4 Explosive Act.

As per prosecution case, while the police on the information about fighting of two groups reached at the place of occurrence, the assemblage of people was found there. The



remain of trucks and stones were found. Some bricks and stains of bombs and blood were also found. Allegation against both the petitioners is that they were also members of the mob.

Learned counsel for the petitioners submits that petitioners are in custody since 26.10.2021. Petitioners bear criminal antecedent of three cases. Charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that no specific allegation against the petitioners. Similarly situated co-accused namely Munna Yadav has already been granted anticipatory bail by the co-ordinate bench vide Cr. Misc. No. 5988 of 2021 and the case of the present petitioners stands on similar footing.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, period of custody, nature of allegation, charge sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence and also taking into consideration the material available on record, let the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like



amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Banka P.S. Case No. 480/2020, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioners will co-operate in trial and will remain present on all dates and absence for two consecutive dates would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

**(Alok Kumar Pandey, J)**

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