

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36972 of 2021

Arising Out of PS. Case No.-456 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

1. Hakim Ansari, Son Of Isu Miah @ Yusuf Ansari Resident Of Village - Mathbal Govind, P.S. - Sahebganj, District - Muzaffarpur (Bihar).
2. Hasmat Ansari, Son Of Hakim Ansari Resident Of Village - Mathbal Govind, P.S. - Sahebganj, District - Muzaffarpur (Bihar).
3. Ajmat Ansari, Son Of Hakim Ansari Resident Of Village - Mathbal Govind, P.S. - Sahebganj, District - Muzaffarpur (Bihar).
4. Hasim Ansari, Son Of Hakim Ansari Resident Of Village - Mathbal Govind, P.S. - Sahebganj, District - Muzaffarpur (Bihar).

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kr Singh No.1

For the Opposite Party/s : Mr. Nand Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-06-2022 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 342, 447, 323, 307, 324, 504/ 34 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that 12 accused persons including the petitioners came to his house and started abusing the elder brother of the informant on which the informant objected and on



objection, the accused persons started assaulting and when his mother came to rescue him, Md. Asan assaulted her brutally with iron rod causing grievous injury and when Md. Mobarak came to rescue her, accused Md. Raja @ Munna assaulted him by iron rod leading to grievous injury in his left eye and even his voice was affected.

The learned counsel for the petitioners submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that though the petitioners are named in the F.I.R., but the F.I.R. does not even remotely reflect that any overt act of assault against the mother and Md. Mobarak was committed by the petitioner. It is next submitted that the present case is a counter blast of Sahebganj P. S. Case No.454 of 2020. The learned counsel submits that since no specific overt act has been alleged against any of the petitioners. The petitioners be released on bail as they are persons with clean antecedent and petitioner no.1 is aged about 66 years and petitioner nos.2, 3 and 4 are his sons.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the



event of their arrest or surrender before the learned Court below within a period of six weeks from today, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sahebganj P. S. Case No.456 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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