

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48035 of 2022

Arising Out of PS. Case No.-534 Year-2019 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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1. JUBAIR ANSARI @ JUBAIR S/O ENUL ANSARI @ YENUL MIYA
Resident of village- Narayanpatti, P.S.- Rajnagar, District- Madhubani.
 2. FAKARUDDIN ANSARI @ FAKARUDDIN S/O ENUL ANSARI @
YENUL MIYA Resident of village- Narayanpatti, P.S.- Rajnagar, District-
Madhubani.
 3. MUDIN ANSARI @ MUDIN S/O ENUL ANSARI @ YENUL MIYA
Resident of village- Narayanpatti, P.S.- Rajnagar, District- Madhubani.

... .. Petitioners.

Versus

1. The State of Bihar
2. RAJIDA KHATUN W/O SAHMAT ANSARI Resident of village-
Narayanpatti, P.S.- Rajnagar, District- Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha
For the Opposite Party/s : Mr. Dilip Kumar No.1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-12-2022 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

Learned counsel for the petitioners undertakes to
remove the defects, as pointed out by the office, within four
weeks.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 341, 323,
354B, 452, 386 & 379 of the Indian Penal Code.

The accusation against these petitioners is that they



tresspassed in the house of the complainant, opened her cloth and made her naked. When her mother-in-law came in her rescue they assaulted her. They also took away silver ornaments and cash.

The petitioners are quite innocent and have been falsely implicated in this case due to previous grudge. The allegations levelled against the petitioners is general and omnibus in nature. It is further submitted that the present case has been lodged in retaliation of Rajnagar P.S. Case No.403 of 2018 filed by petitioner no.1. There is delay of 13 days in lodging the present complaint without assigning any cogent reason for the said delay. Petitioners have no criminal antecedent.

Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioners is serious in nature, hence they do not deserve anticipatory bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected. However, the petitioners are directed to surrender before the learned Court below within six weeks from today and seek regular bail and the



learned Court below would pass order in accordance with law
without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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