

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4665 of 2021

Arising Out of PS. Case No.-392 Year-2020 Thana- BANKA District- Banka

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1. Md.Irsad @ Irsad Son of Late Md. Ayub Ansari Resident of Village - Gourdhowa, P.S.- Barahat, District - Banka.
 2. Md. Salim Ansari Son of Dinayat Miyan Resident of Village - Gourdhowa, P.S.- Barahat, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nirbhay Kumar Singh

For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-01-2022 Heard learned counsel for the petitioners and

learned APP for the State.

Learned counsel for the petitioners is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by the office when called upon to do so by the office.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 307, 427, 452, 504, 506, 436 of the Indian Penal Code. Later on, Section 302 I.P.C



was also added.

It is alleged in the F.I.R that all the accused persons including the petitioners surrounded the house of the informant and set his house on fire. It is specifically alleged that co-accused Md. Shamsheer assaulted with iron rod on the brother of the informant. The accused persons also set the household articles on fire.

It is submitted by learned counsel for the petitioners that the main allegation of assaulting the brother of the informant by means of iron rod is against Md. Shamsheer, as a result of which, he subsequently died. The allegation against the petitioners is general and omnibus of setting the house of the informant on fire but from perusal of the case diary it appears that no one got any harm by setting the house on fire. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

In the facts and circumstance of the case, let



the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Banka Barahat P.S. Case No. 392 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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