

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67065 of 2021

Arising Out of PS. Case No.-166 Year-2020 Thana- JOGBANI District- Araria

1. MD RAFIQUE ANSARI @ MD RAFIQUE Son of Late Jumrati Resident of Village- Rahmanganj, Ward No.2, P.S.- Jogbani, Dist- Araria.
2. Md. Sohel Ansari @ Sohel Son of Zakir Ansari Resident of Village- Rahmanganj, Ward No.2, P.S.- Jogbani, Dist- Araria.
3. Md. Sahbaz Ansari @ Sahbaz Son of Shabir Resident of Village- Rahmanganj, Ward No.2, P.S.- Jogbani, Dist- Araria.
4. Md. Subhan Ansari @ Subhani Son of Late Hakim Resident of Village- Panchgama, Ward No.02, P.S.- Jogbani, Dist- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-05-2022 Heard learned counsel for the parties.

The petitioners apprehend their arrest in a case registered for the offence under Section 307, 379 and other allied of the Indian Penal Code.

As per the prosecution case, on 20.06.2020 at about 11:00 AM, while the informant and his daughter were in field, all the F.I.R. named accused persons including petitioners, variously armed, came there and asked the informant to withdraw the previous case, otherwise he would be killed, which was protested and thereafter, it is alleged that on the



instigation of petitioner no. 1, petitioners no. 2 & 3 assaulted daughter of informant with iron rod and petitioner no. 4 assaulted with *dabiya* on the head of informant.

It is submitted on behalf of petitioners that both parties are in the same family. Injuries have been found to be simple in nature and due to dispute of ancestral property between the parties, the alleged incident took place.

However, learned A.P.P. for the State has opposed the prayer for bail and submitted that the backdrop, in which, the incident took place is very serious. Petitioners alongwith others were pressurizing the informant to withdraw the previous case and on refusal, the alleged occurrence took place.

Considering the specific allegation of overt act against petitioners no. 2 to 4, their prayer for anticipatory bail is rejected.

So far as prayer for anticipatory bail of petitioner no. 1 is concerned, since there is no allegation of overt act against him, let the petitioner no. 1 namely Md. Rafique Ansari @ Md. Rafique, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - VI, Araria



in connection with Jogbani P.S. Case No. 166 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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