

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70185 of 2021

Arising Out of PS. Case No.-197 Year-2020 Thana- DINARA District- Rohtas

1. SARFARAJ ANSARI Son of Firoj Ansari Resident of Village - Dinara, P.S.- Dinara, Distt.- Rohtas.
2. RINKU ANSARI @ SARAFAT ANSARI Son of Sahabuddin Ansari Resident of Village - Dinara, P.S.- Dinara, Distt.- Rohtas.
3. DHANU ANSARI Son of Sahabuddin Ansari Resident of Village - Dinara, P.S.- Dinara, Distt.- Rohtas.
4. ASHALAM ANSARI Son of Sahabuddin Ansari Resident of Village - Dinara, P.S.- Dinara, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar
For the Opposite Party/s : Mr.Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-06-2022 Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners seek regular bail in connection with Dinara P.S. Case No. 197 of 2020, registered for the offence punishable under Sections 147, 149, 148, 323, 324, 307, 379, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation is regarding the accused persons having entered into an altercation with



the informant and his family members on account of the informant having protested regarding the accused persons engaging in drinking illicit liquor. It is alleged that the co-accused person, namely, Reja Ansari, had assaulted the informant with farsa resulting in the informant receiving grievous injury. As far as the petitioners no. 1 and 2 are concerned, they are stated to have snatched cash amount from the informant. It is also alleged that the petitioner no. 2 had assaulted the daughter of the informant and as far as the petitioner no. 4 is concerned, he had snatched the suitcase from the wife of the informant.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case, they are having a clean antecedent and they are languishing in custody since 19.9.2021. The learned counsel for the petitioners has further submitted that as far as the petitioners no. 1 and 4 are concerned, an ornamental allegation has been levelled and as far as the petitioner no. 2 is



concerned, though it has been alleged that he had assaulted the daughter of the informant, however, Annexure-3 to the present petition, which is the injury report of the daughter of the informant, would show that all the injuries sustained by her have been found to be simple in nature.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the materials available on record as also considering the fact that as far as the petitioners no. 1, 3 and 4 are concerned, they have not been alleged to have assaulted either the informant or any other members of the prosecution party and as far as the petitioner no. 2 is concerned, though he is alleged to have assaulted the daughter of the informant, but the injuries sustained by her have been found to be simple in nature, apart from



the fact that the petitioners are having a clean antecedent, I deem it fit and proper to direct for release of the petitioners on regular bail.

Accordingly, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sasaram (Rohtas) in connection with Dinara P.S. Case No. 197 of 2020.

(Mohit Kumar Shah, J)

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