

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6416 of 2023

Arising Out of PS. Case No.-201 Year-2021 Thana- GAUNAHA District- West Champaran

1. PHULMOHAMMAD ANSARI @ FUL MAHAMMAD ANSARI @ FUL MAHAMMAD MIYA Son of Late Shah Hasan Mian R/v- Mahua Bhusha, P.S.- Gaunaha, District- West Champaran
2. MOTIUR RAHMAN @ MOTIUR RAHMAN ANSARI @ MOTIURRAHMAN ANSARI Son of Phulmohammad Ansari @ Ful Mahammad Ansari @ Ful Mahammad Miya R/v- Mahua Bhusha, P.S.- Gaunaha, District- West Champaran
3. HAFJULLAH ANSARI @ HAFIJULLAH ANSARI @ HAFI JULLAH ANSARI Son of Phulmohammad Ansari @ Ful Mahammad Ansari @ Ful Mahammad Miya R/v- Mahua Bhusha, P.S.- Gaunaha, District- West Champaran
4. JARINA KHATOON @ JARINA KHATUN Wife of Phulmohammad Ansari @ Ful Mahammad Ansari @ Ful Mahammad Miya R/v- Mahua Bhusha, P.S.- Gaunaha, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.
For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-04-2023 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable u/s 341, 323, 354B, 504, 506, 34 of the IPC and section 8 of POCSO Act and cognizance has been taken under section 341, 323, 354, 504 of IPC and section 8 of POCSO Act.

As per the prosecution case, one Gulab Ansari was



teasing the daughter of the informant and on alarm, he tried to flee away but the informant caught him at his door. Meanwhile, the F.I.R. named accused persons including the petitioner came there and started scuffle and on 31.08.2021, they assaulted the informant.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to ulterior motive. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. It is submitted that after investigation, police has filed final form against the petitioner (Annexure-3) but the learned Court below, differing with the same, took cognizance against the petitioners. Petitioner nos.2, 3 and 4 have no criminal antecedent and petitioner no.1 has one criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of



the learned court below where the case is pending/Successor
Court in connection with Gaunaha P.S. Case No.201 of 2021,
subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

(Anjani Kumar Sharan, J)

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