

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18671 of 2023

Arising Out of PS. Case No.-231 Year-2022 Thana- NAUTAN District- West Champaran

1. NAJIR ANSARI Son of Late Samtullah Ansari Resident of Village - Bahuarwa, P.S.- Nautan (Jagdishpur), Dist.- West Champaran.
2. Sabujan Khatoon @ Sabgun Khatoon Wife of Najir Ansari Resident of Village - Bahuarwa, P.S.- Nautan (Jagdishpur), Dist.- West Champaran.
3. Md. Salman @ Salman @ Sulman Ansari @ Salman Ansari Son of Najir Ansari Resident of Village - Bahuarwa, P.S.- Nautan (Jagdishpur), Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mrs. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-06-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 354, 307, 379 and 504/34 of the Indian Penal Code pending in the learned court below.

As per the prosecution case, petitioners along with other co-accused persons are said to have assaulted the informant by means of lathi.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that there is land dispute between the



parties. He submits that there is delay of about 9 days in filing of the present FIR and there is no explanation of it which creates serious doubt about the prosecution case. He further submits that the injury found upon the victim is simple in nature. He further submits that petitioner no.1 has got no criminal antecedent and petitioner no.2 & 3 has got one criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances and the fact that the injury found upon the victim is simple in nature, let the petitioners, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Nautan (Jagdishpur) P.S. Case No.231/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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