

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16571 of 2023

Arising Out of PS. Case No.-517 Year-2022 Thana- SUGAULI District- East Champaran

1. IRFAN ANSARI, son of Nurain Ansari Village- Pajiyarawa Ps- Sugauli Dist- East Champaran
2. Fariyad Ansari Son of Nurain Ansari Village- Pajiyarawa Ps- Sugauli Dist- East Champaran
3. Sultan Ansari Son of Nurain Ansari Village- Pajiyarawa Ps- Sugauli Dist- East Champaran
4. Serajul Ansari Son of Late Bhola Ansari Village- Pajiyarawa Ps- Sugauli Dist- East Champaran
5. Saheb Ansari Son of Wazir Ansari Village- Pajiyarawa Ps- Sugauli Dist- East Champaran
6. Sajid Ansari son of Najeeb Ansari Village- Pajiyarawa Ps- Sugauli Dist- East Champaran
7. Rabia Khatoon W/o- Najeeb Ansari Village- Pajiyarawa Ps- Sugauli Dist- East Champaran
8. Kalma Khatoon W/o- Asfaq Ansari Village- Pajiyarawa Ps- Sugauli Dist- East Champaran
9. Manturi Khatoon W/o- Nurain Ansari Village- Pajiyarawa Ps- Sugauli Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rashmi Jha
For the Opposite Party/s : Ms. Rina Sinha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 29-05-2023 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor representing the State.

This application, for grant of anticipatory bail, arises
out of Sugauli Police Station Case No. 517 of 2022, dated
05.12.2022, disclosing offences punishable under Sections



341/323/307/354/379/504/506/34 of the Indian Penal Code.

The prosecution case, as per the First Information Report, is that the petitioners, along with co-accused Nurain Ansari, ten in numbers, arrived at the house of the informant, abused and assaulted her and when the family members intervened, they were also assaulted by bricks, due to which the informant and other sustained injury.

Learned Counsel for the petitioners submits that the allegation against the petitioners is general and omnibus in nature and all the family members have been made accused in this case due to land dispute. She further submits that both the parties are co-sharers and from perusal of the injury reports (Annexures 2 and 3), it would be evident that the injuries caused to the informant is not attributable to the petitioners, but the same is attributable to co-accused Nurain Ansari, who is not petitioner before this Court.

Regards being had to the submissions advanced on behalf of petitioners and taking into consideration the fact that both the parties are co-sharers, there is land dispute between them and the injuries caused to the informant and others are simple in nature, I am inclined to grant the petitioners privilege of anticipatory bail.



This application is, accordingly, allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, at Motihari, in connection with Sugauli Police Station Case No. 517 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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