

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21442 of 2023

Arising Out of PS. Case No.-140 Year-2019 Thana- DARBHANGA District- Darbhanga

1. MD. MOTI SON OF LATE MD. QUASIM RESIDENT OF VILLAGE - SENAPATH, P.S. - TOWN, DISTT. - DARBHANGA
2. MD. MOZAHID SON OF MD. MOTI RESIDENT OF VILLAGE - SENAPATH, P.S. - TOWN, DISTT. - DARBHANGA
3. MD. MONAZIR SON OF MOTI RESIDENT OF VILLAGE - SENAPATH, P.S. - TOWN, DISTT. - DARBHANGA
4. MD. SHAKIR SON OF MD. MOTI RESIDENT OF VILLAGE - SENAPATH, P.S. - TOWN, DISTT. - DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-07-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 149, 336, 353, 323 and 342 of the Indian Penal Code.

The learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the prosecution case in brief is that one Md. Tanveer Ansari sustained serious injury and died during the course of treatment at P.M.C.H., on account of death of Md. Tanveer Ansari people



became furious and attacked the house of accused Md. Zubair, it is further alleged that Md. Jubair was apprehended by the mob and brutally assaulted and when the police reached the place of occurrence alongwith the Magistrate and took Md. Jubair in custody the mob continued brick batting and brandishing *lathi* and *danda* and even tried to snatch Md. Jubair from police custody further in the brick batting one PSI also sustained injury.

The learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that from perusal of the allegation as alleged in the FIR it would manifest that on account of death of Md. Tanveer Ansari the mob became furious and had attacked Md. Jubair and the petitioners who are related to Md. Tanveer Ansari were in the house with the dead body but they came to be implicated merely because they are relative of Md. Tanveer Ansari. It is next submitted that even the allegation of assault is not specific.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the



event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory 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 the learned trial court where the case is pending/successor court in connection with Town P.S. Case No. 140 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

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