

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36998 of 2023

Arising Out of PS. Case No.-52 Year-2022 Thana- KESARIA District- East Champaran

1. ASARAF ANSARI Son of Jamaluddin Ansari Resident of Village- Gochhi, PS- Kesariya, District- East Champaran
2. Haidar Ansari Son of Bhular Ansari Resident of Village- Gochhi, PS- Kesariya, District- East Champaran
3. Nuraish Khatoon @ Nuraisha Khatoon Wife of Aadar Ansari Resident of Village- Gochhi, PS- Kesariya, District- East Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Dhurendra Kumar
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 02-08-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 379/307/34 and other ancillary sections of the Indian Penal Code.

3. As per the prosecution case, petitioner no.1 is alleged to have assaulted the informant on his head with sharp cut weapon, whereas petitioner no.2 and 3 assaulted mother of the informant with bamboo stick. Accused persons also snatched cash from the pocket of the informant.

4. It is submitted on behalf of the petitioners that due to pre-existing land dispute, these petitioners have falsely been implicated in this case. The injury report which is on record cannot be believed for the simple reason that the alleged occurrence is of 16.11.2021, whereas injury report is of



15.11.2021, i.e, one day prior to the alleged occurrence. It appears that the injured have sustained injuries somewhere else, and taking advantage of the situation, informant falsely implicated these petitioners in this case. Petitioners claim clean antecedent.

5. Considering the aforesaid facts of the case, prayer for bail of all the petitioners is allowed. In the event of arrest/surrender within six weeks from today, let these petitioners, mentioned above, be enlarged 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 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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