

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49433 of 2023

Arising Out of PS. Case No.-40 Year-2023 Thana- PARIHAR District- Sitamarhi

1. Sahmad Raja Son Of Md Alam Ansari Village Parihar Ps Parihar Dist Sitamarhi
2. Ahmad Raja @ Ahmad Reja Son Of Md Alam Ansari Village Parihar Ps Parihar Dist Sitamarhi
3. Md. Alam Ansari @ Shafi Alam Ansari Son Of Md Saheb Ansari Village Parihar Ps Parihar Dist Sitamarhi
4. Israj Ansari @ Md. Israj Son Of Safi Alam Ansari Village Parihar Ps Parihar Dist Sitamarhi
5. Israfil @ Md. Israfil Son Of Safi Alam Ansari Village Parihar Ps Parihar Dist Sitamarhi
6. Anwarul Ansari @ Md. Anwarl Ansari Son Of Md. Alamgir Ansari Village Parihar Ps Parihar Dist Sitamarhi
7. Noor Alam Son Of Md Saheb Village Parihar Ps Parihar Dist Sitamarhi
8. Hazrat Ansari @ Hazrat Ali Ansari @ Md. Hazrat Ali Son Of Phul Mohammad Ansari Village Parihar Ps Parihar Dist Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Hans Lal Kumar, Advocate
For the Informant	:	Mr. Anuj Kumar, Advocate
For the Opposite Party/s	:	Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 07-12-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned counsel for the informant as well as learned Additional Public Prosecutor for the State.



3. The petitioners are apprehending their arrest in a case in connection with Parihar P.S. Case No. 40 of 2023 dated 11.02.2023 registered for the offences punishable u/ss 341, 342, 323, 324, 379, 354B, 504, 448 and 506 read with section 34 of the Indian Penal Code.

4. As per the prosecution case, the petitioners along with the other co-accused persons are alleged to have abused and assaulted the informant by saying to compromise the case which was earlier filed by the informant's Bhabhi against the petitioners. It is further alleged that the matter was informed to the local police and after departure of police, all the accused persons armed with Farsa, sword, iron rod chain, lathi and danda entered his house and started assaulting the informant and the accused Rasida Khatoon and Israj Ansari snatched golden chain from the wife of the informant. The accused Ejajul and Hamid Raja assaulted the informant with Farsa blow on his head causing cut injury.

5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. As per the injury report, the injured sustained one sharp incised wound size 2" x 1/2" on scalp left side and the other is lacerated wound on left elbow which are simple in nature. There is



general and omnibus allegation against the petitioners. The petitioners are also accused in one more criminal case as stated at para 3 of the bail petition.

6. Learned counsel for the informant as well as learned Additional Public Prosecutor for the State has vehemently opposed the bail petition of the petitioners.

7. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Sitamarhi in connection with Parihar P.S. Case No. 40 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application stands allowed.

(Chandra Prakash Singh, J)

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