

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51319 of 2023

Arising Out of PS. Case No.-163 Year-2023 Thana- RAMGARH District- Kaimur (Bhabua)

1. Ali Muhammed @ Ali Muhammed Son Of Abdul Ansari Resident Of Village- Matiyari, Ps- Ramgarh, Distt- Kaimur
2. Azad Ansari @ Qutubuddin Ansari @ Md. Kutubuddin Ansari Son Of Abdul Ansari Resident Of Village- Matiyari, Ps- Ramgarh, Distt- Kaimur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 337, 338, 307, 34 of the Indian Penal Code.

3. Allegation against the petitioners is that they along with other co-accused persons pelted bricks on informant from their roof of the house.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that



there is no specific overt act against the petitioners. He further submits that during course of treatment, injured Mashoor Ansari succumbed to his injuries, but till date, no Section 302 of I.P.C. was added in the F.I.R.. Petitioner no. 1 has one criminal antecedent and petitioner no. 2 has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case and the fact that there is no specific overt act against the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Ramgarh P.S. Case No.163 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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