

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50548 of 2022

Arising Out of PS. Case No.-46 Year-2022 Thana- PURAINI District- Madhepura

1. MD. IBRAN @ MD. IMRAN ANSARI S/O MD. DAOOD @ MD. DAOOD ANSARI Resident of village- Puraini, Ward No- 3, Mohan Nagar, P.S.- Puraini, District- Madhepura
2. MD. ASIF S/O MD. DAOOD @ MD. DAOOD ANSARI Resident of village- Puraini, Ward No- 3, Mohan Nagar, P.S.- Puraini, District- Madhepura
3. MD. DAUD @ DAUD ANSARI S/O FARUKH ANSARI Resident of village- Puraini, Ward No- 3, Mohan Nagar, P.S.- Puraini, District- Madhepura
4. MD. QUDDUS S/O MD. RABULI @ MD. RABULLI @ MD. RABUL Resident of village- Puraini, Ward No- 3, Mohan Nagar, P.S.- Puraini, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Sanjay Kumar Singh, Advocate
For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-01-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection with Puraini P.S. Case No. 46 of 2022 for the offence registered under Sections 341, 323, 307, 379, 504, 506 and 34 of the Indian Penal Code.

It is irony that these days two FIRs are being lodged for the missing of a cock. The allegation in the present FIR is that the petitioner's cock went missing and upon suspicion,



when the informant's side was enquired, they gave answer in negative. However in the meantime, the cock came out and infuriated by the same, the allegation is that the petitioners assaulted the informant's side including the ladies therein.

Learned counsel for the petitioners submit that there has been assault on both the sides for which the petitioners also lodged FIR being Puraini P.S. Case No. 45 of 2022 which is prior to the informant's case being Puraini P.S. Case No. 46 of 2022. The further submission is that the injuries have been found to be simple in nature and they do not have criminal antecedent. The last submission is that in view of the fact that the ladies have got simple injuries on the informant's side, without accepting the allegation, they would like to extend medical assistance of Rs. 10,000/- through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned court to be handed over to the informant after checking the credentials.

Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

Taking into account the kind of accusation as also the fact that they do not have criminal antecedent, it is a matter of case and counter case and the injuries have been found to be



simple in nature, this Court is inclined to grant them privilege of anticipatory bail subject to payment of Rs. 10,000/-, as stated above.

Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Udakishunganj, Madhepura in connection with Puraini P.S. Case No. 46 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Jagdish/Neha/-

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