

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56733 of 2022

Arising out of PS. Case No.-226 Year-2020 Thana- LAUKAHA District- Madhubani

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TUFAIL ANSARI @ MD. TUFAIL S/o Sohel Akhtar @ Gurkun Ansari
Resident of village- Andharbon, Batermari (Basudevpur), Police Station-
Laukha, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shivnandan Bharti, Advocate

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 16-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Laukaha P.S. Case No. 226 of 2020 for the offence registered under Sections 147, 148, 149, 341, 323, 324 and 307/504 of the Indian Penal Code.

As per the case of the prosecution, 16 named accused persons and 5-10 unknown persons variously armed had abused and assaulted the father of the informant by lathi (stick), danda etc. Specific allegation has been levelled against the co-accused persons, namely, Md. Nasir and Md.



Manjur Alam of assaulting the father of the informant by means of *Dabiya*, iron rod and farsa.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, is having a clean antecedent and he is languishing in custody since 24.06.2022. It is further submitted that as far as the petitioner is concerned, a general and omnibus allegation has been levelled and he has not been specifically alleged to have assaulted the father of the informant. It is also submitted that the main accused person namely Manjur Alam and Md. Nasir Ansari have already been granted bail by Co-ordinate Benches of this Court vide orders dated 23.11.2021 and 16.05.2022 passed in Criminal Miscellaneous No. 18101 of 2021 and Criminal Miscellaneous No. 15499 of 2022. Lastly, it is submitted that some other co-accused persons have also been granted anticipatory bail/regular bail by Co-ordinate Benches of this Court.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.



Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused persons who have already been granted bail by Co-ordinate Benches of this Court, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Jhanjharpur in connection with Laukaha P.S. Case No. 226 of 2020.

(Mohit Kumar Shah, J)

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