

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70651 of 2022

Arising Out of PS. Case No.-257 Year-2022 Thana- PAHARPUR District- East Champaran

NABI ANSARI @ NABI HUSSAIN SON OF LATE KAMARUDDIN
ANSARI R/O VILLAGE- KRITPUR SHAHNAGAR BAWARIA, P.S.-
PAHARPUR, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 73832 of 2022

Arising Out of PS. Case No.-257 Year-2022 Thana- PAHARPUR District- East Champaran

1. ALI HASAN MIYA Son of Late Usman Miyan @ Tabarak Miya R/V-
Kritpur, Shah Nagar, P.S- Harsidhi, Dist- East Champaran
2. Imam Hussain @ Emam Hussain Son of Ali Hasan Miya R/V- Kritpur, Shah
Nagar, P.S- Harsidhi, Dist- East Champaran
3. Meraj Miya @ Meraz Hussain Son of Ali Hasan Miya R/V- Kritpur, Shah
Nagar, P.S- Harsidhi, Dist- East Champaran
4. Mehadi Ansari Son of Late Kamaruddin Miya R/V- Bawaria, P.S- Paharpur,
Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 70651 of 2022)

For the Petitioner/s : Mr.Anant Kumar Mishra, Adv.

For the Opposite Party/s : Mr.Raj Kishor Singh, APP.

(In CRIMINAL MISCELLANEOUS No. 73832 of 2022)

For the Petitioner/s : Mr.Ajay Kumar Singh, Adv.

For the Opposite Party/s : Mr.Ramchandra Sahni, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-01-2023 As both these bail applications have cropped up from the

same police station case number, hence, with consent of parties,

they are being heard together and disposed of by this common



order.

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 295, 323, 324, 325, 307, 153, 427, 504, 506 of the Indian Penal Code.

Allegedly, petitioners along with other co-accused persons came to the informant and started raising religious slogans and attacked on her. They assaulted her mother in law with iron rod due to which her waist was fractured. They also destroyed the household articles in 15 houses and took away ornaments worth Rs. 50,000/-.

The petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. The prosecution case as alleged in the FIR is totally false, fabricated and concocted. The allegations levelled against the petitioners is general and omnibus in nature. The specific allegation of assaulting the informant and her mother in law is against co-accused Bhikhari Miyan, Murtuza Ansari and Sannu Alam. Neither the petitioners were present at the alleged place of occurrence nor he participated in the alleged occurrence. It is



further submitted that the prayer for anticipatory bail of petitioner Nabi Ansari has been rejected with a condition that if the petitioners surrender before the learned Court below and pray for regular bail liberty, the learned Court below will pass an appropriate order in accordance with law without being prejudiced by the order of this Court. Petitioners have one criminal antecedent.

Per contra, learned APP for the State vehemently opposed the prayer for bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected. However, the petitioners are directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order on the very date of surrender considering the age of the petitioners.

(Anjani Kumar Sharan, J)

divyanshi/-

U			
---	--	--	--

