

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14456 of 2024

Arising Out of PS. Case No.-338 Year-2023 Thana- RAMGARH District- Kaimur (Bhabua)

1. Taufik Ansari S/O Isa Ansari R/O Village- Nuaon, P.S- Nuaon, Distt.- Kaimur (Bhabua).
2. Jubair Ansari S/O Isa Ansari R/O Village- Nuaon, P.S- Nuaon, Distt.- Kaimur (Bhabua).
3. Tausik Ansari S/O Isa Ansari R/O Village- Nuaon, P.S- Nuaon, Distt.- Kaimur (Bhabua).
4. Dilshad Ansari S/O Isa Ansari R/O Village- Nuaon, P.S- Nuaon, Distt.- Kaimur (Bhabua).
5. Meraj Ansari S/O Isa Ansari R/O Village- Nuaon, P.S- Nuaon, Distt.- Kaimur (Bhabua).
6. Isa Ansari S/O Late Alauddin Ansari R/O Village- Nuaon, P.S- Nuaon, Distt.- Kaimur (Bhabua).

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Vivekanand Singh, Advocate
For the State	:	Mr. Kalyan Shankar, APP
For the Informant	:	Md. Parwej Khan, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioners and learned counsel for the informant as well as learned A.P.P. for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Ramgarh (Nuaon) P.S. Case No. 338 of 2023, registered for the alleged offence under Sections 147, 149, 341, 323, 354, 448, 380, 452 of the Indian Penal Code and Section 27 of the Arms Act.

03. As per prosecution case, the petitioners entered into



the house of the complainant/informant and assaulted the informant and her family members and also tried to outrage their modesty. They also took away ornaments and cash of Rs. 50,000/- from the house of the informant.

04. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. For an occurrence of dated 30.07.2023, the complaint case was lodged on 16.08.2023 and there is no satisfactory explanation for the delay. In fact, for the occurrence of same date, petitioner no. 2 has lodged FIR against the informant side vide Ramgarh P.S. Case No. 277 of 2023 as the informant side inflicted injuries to the petitioners' side and committed theft in the house of the petitioners. The occurrence took place in the background of previous enmity between the parties. All the offences mentioned in the FIR are bailable except Sections 354, 380 of IPC and Section 27 of the Arms Act for that there is no specific allegation against the petitioners. The petitioners have got no criminal history.

05. Learned A.P.P. for the State as well as learned counsel for the informant oppose the prayer for anticipatory bail. Learned counsel for the informant submits that specific allegations have been levelled against petitioner no.4.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the case



and counter case between the parties and non specific nature of allegation against the petitioners and further considering the possibility of false implication, let the petitioners above named, in the even of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Mohania, Kaimur at Bhabua in connection with Ramgarh (Nuaon) P.S. Case No. 338 of 2023, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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