

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22630 of 2024

Arising Out of PS. Case No.-250 Year-2020 Thana- BANMANKHI District- Purnia

1. Md. Tabrej Ansari @ Tabrej Alam Son Of Late Musa Ansari Resident Of Village - Dharhara Ansari Tola, Ward No.06, P.S. - Banmankhi, District - Purnia
2. Md. Tasabur @ Tasvir Alam Son Of Md. Jamal Ansari Resident Of Village - Dharhara Ansari Tola, Ward No.06, P.S. - Banmankhi, District - Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Thakur, Advocate
For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

4 05-07-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek regular bail in connection with Banmankhi P.S. Case No. 250 of 2020, registered for the offences punishable under Sections 341, 323, 324, 307, 379 and 34 of the Indian Penal Code.

3. As per the prosecution case, when the son of the informant was coming home by Cycle, some unknown miscreants gave sharp edged weapon blow on the head of the son of the informant due to which he sustained injury on his head as well as on his finger.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have been falsely implicated in this case due to being relative of co-accused Tanvir *Mukhiya*. He further submits that the FIR has been lodged after two days of incident against unknown and contradictory statement has been given by the victim recorded under Sections 161 and 164 of Cr.P.C. He also submits that the statement of injured has been recorded under Section 164 of Cr.P.C after about one year of the incident in which there is no specific allegation against the petitioners. It is further submitted that the similarly situated co-accused, namely, Md. Wasim @ Wasim Akram and Md. Prine @ Tohsin Alam have already been granted regular bail by this Court vide order dated 09.12.2022 passed in Cr. Misc. No. 49567 of 2022.

5. He further submits that the charge-sheet has already been submitted and the charge has already been framed in this case and there is no chance of absconding of the petitioners or tampering with the evidence. The petitioners have one criminal antecedent in which they are on bail and the petitioners undertake to co-operate in the trial. He also submits that petitioners are in custody since 12.01.2024 and 18.12.2023, respectively.

6. Learned APP for the State has opposed the prayer



for regular bail of the petitioners.

7. Considering the facts and circumstances of the case and the submissions of learned counsel for the parties, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnia / Concerned Trial Court in connection with Banmankhi P.S. Case No. 250 of 2020.

(Sunil Dutta Mishra, J)

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