

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25015 of 2024

Arising Out of PS. Case No.-148 Year-2023 Thana- BAUNSI District- Araria

1. Hadish Ansari @ Madda Ansari Son of Late Vakeel Ansari Resident of Village- Basaithi, P.S.- Bausi, Dist.- Araria (Bihar), Pin- 854312
2. Saklerun Khatun @ Sakila Nur Khatoon @ Sakila Noor Wife of Hadish Ansari @ Madda Ansari Resident of Village- Basaithi, P.S.- Bausi, Dist.- Araria (Bihar), Pin- 854312

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nishant Kumar Sinha
For the Opposite Party/s : Mr. Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-03-2024 Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 149, 323, 324, 379, 307, 341, 354(B) of the Indian Penal Code.

3. The allegation against the petitioners is that, they, alongwith other co-accused persons assaulted the informant's side by means of several weapons due to which they sustained injuries.

3. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The



allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is a case and counter-case between the parties and both sides sustained injuries. There is an admitted land dispute between the parties. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail and submits that there is specific allegation against the petitioner no.1 to assault the injured person due to which he sustained grievous injuries.

6. Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner no.1 on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. However, the petitioner no.2 is a lady and there is no specific overt act against her, let the above named petitioner no.2, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Bausi P.S. Case No.148 of 2023, subject to the conditions as laid down



under Section 438(2) of the Cr.P.C.

8. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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