

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34175 of 2024

Arising Out of PS. Case No.-205 Year-2023 Thana- NIMCHAKBATHANI District- Gaya

1. Qayum Ansari son of Late Habibulla @ Feku Ansari Vill- Morabbichak Tola Imamganj Ps- Nimchak Bathani Dist- Gaya
2. Md. Majhar Ansari @ Majhar Ansari son of Qayum Ansari Vill- Morabbichak Tola Imamganj Ps- Nimchak Bathani Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brijmohan Das
For the Opposite Party/s : Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 27-05-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Neemchak Bathani Police Station Case No. 205 of 2023, disclosing offences under Sections 341/323/504/506/379/307/34 of the Indian Penal Code and Section 27 of the Arms Act.
3. The prosecution case, as per the First Information Report, is that on 18.11.2023, in the evening, while the informant was coming back to his home after completing his duty, all the accused persons apprehended him and the petitioners allegedly assaulted the informant by means of



lathi.

4. Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in the present case due to previous dispute. The allegation against both the petitioners are general and omnibus in nature and injuries caused to the informant are simple in nature as would be evident from the injury report annexed at Annexure-2.
5. On the other hand, learned counsel for the State submits that the petitioners have criminal history and do not deserve privilege of anticipatory bail.
6. Regards being had to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that the petitioner no. 1 is 74 years old and injuries caused to the informant are simple in nature, I am inclined to grant the petitioners privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioners, named above, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the



like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Gaya, in connection with Neemchak Bathani Police Station Case No. 205 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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