

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47441 of 2024

Arising Out of PS. Case No.-198 Year-2024 Thana- KARAKAT District- Rohtas

1. Jannat Hussain Son of Jabir Ansari R/O Vill.- Duwari, P.S.- Karakat, Dist.- Rohtas
2. Sabir Ansari @ Sabir Kasim Ansari @ Sabir Kasim Ansari Son of Kasim Ansari R/O Vill.- Duwari, P.S.- Karakat, Dist.- Rohtas
3. Riyajuddin Ansari Son of Kasim Ansari R/O Vill.- Duwari, P.S.- Karakat, Dist.- Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar Singh

For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 27-08-2024 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel appearing on behalf of the informant.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506, 448, 307 and 34 of the Indian Penal Code.
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that on eve of *Eid*, his family members had gone out and he was sitting at his door when all the named accused persons along with the petitioners came and assaulted Imteyaz Ansari, father of the informant and the informant causing injury on head, hand and mouth, further the said occurrence took place on account of an old dispute relating to passage.
4. Learned counsel for the petitioners submits that



from perusal of the allegation as alleged in the F.I.R., it would manifest that on account of dispute relating to passage, an altercation had taken place in which both sides assaulted each other. It is also submitted that though there is allegation in the FIR that accused persons assaulted but then there is no specific allegation of assault against any of the petitioners when petitioners are persons with clean antecedent. It is also submitted that petitioners will not abscond rather will co-operate in the investigation to prove their innocence.

5. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant oppose the prayer for anticipatory bail of the petitioners, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioners that no specific allegation of assault is alleged against the petitioners, but then the learned counsel appearing on behalf of the informant submits that one of the injuries suffered by the informant is opined to be grievous, it is submitted that after CT Scan of the brain, the lacerated wound on the head was opined to be grievous.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Karakat P.S. Case No. 198 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioners despite giving assurance to this Court are not co-operating in the investigation or are not presenting themselves as and when required, in that event the learned Trial Court shall be at liberty to forthwith cancel the bail bonds of the petitioners after recording reasons.

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

9. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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