

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48953 of 2024

Arising Out of PS. Case No.-160 Year-2024 Thana- HARSIDHI District- East Champaran

1. Ruddu Ansari @ Ahamdullah Ansari S/o Azamullah Mian @ Azamullah Ansari R/o vill - Sewrahan Pandey Tola, P.S. - Harsidhi, Distt. - East Champaran
2. Guddu Ansari @ Emanullah Ansari S/o Azamullah Mian @ Azamullah Ansari R/o vill - Sewrahan Pandey Tola, P.S. - Harsidhi, Distt. - East Champaran
3. Shamin Ansari @ Md. Shamim Akhtar S/o Late Md. Azim Mian @ Azim Mian R/o vill - Sewrahan Pandey Tola, P.S. - Harsidhi, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava
For the Opposite Party/s : Mr. Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 07-08-2024 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Harsidhi P.S. Case No. 160/2024 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 504, 506 of the Indian Penal Code.

3. As per prosecution case, petitioners and others are said to have assaulted the informant by means of lathi, rod, kulhari and sharp cutting weapon, as a result of which he sustained head injury. It is alleged that they also snatched



Redami mobile phone from the informant.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this case due to previous enmity and dirty village politics. The petitioners bear no criminal antecedent. He further submits that there is case and counter case between both the parties on the same date of occurrence and free fighting cannot be ignored. He further submits that Harsidhi P.S. Case No.159/2024 dated 25.03.2024 has been instituted by the brother of the petitioner nos. 1 and 2 against informant's brother, prior to the point of time to the present case and present case is nothing, but the counter blast of Harsidhi P.S. Case No.159/2024. He further submits that the head injury of the injured is found simple in nature which is quite evident from the injury report as annexed in Annexure-3 of the bail petition.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, 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 bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Sadar Motihari, East Champaran in connection with Harsidhi P.S. Case No. 160/2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

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