

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.54782 of 2024**

Arising Out of PS. Case No.-133 Year-2022 Thana- CHAKAI District- Jamui

1. Md. Firoj Ansari Son of Md. Shalil Ansari @ Bhutka Ansari Resident of Village - Bubba, P.S. - Bengabad, District - Giridih (Jharkhand)
2. Shiraj Anasari Son of Bhutka Ansari @ Shalil Ansari Resident of Village - Bubba, P.S. - Bengabad, District - Giridih (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate

For the Opposite Party/s : Md. Aslam Ansari, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      04-09-2024                      Heard Mr. Pankaj Kumar Sinha, learned counsel  
for the petitioners as well as Md. Aslam Ansari, learned  
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Chakai P.S. Case No. 133 of 2022, F.I.R. dated 13.06.2022 for the offences punishable under Sections 147, 148, 149, 33321, 323, 324, 307, 504 and 506 of the Indian Penal Code.

3. According to prosecution case, all the3 accused persons including these petitioners have assaulted the informant and his family members which caused injuries to informant's wife and nephew.



4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that although the petitioners are named in the F.I.R but from perusal of the F.I.R it appears that there is no specific allegation of any assault or overt act attributed against these petitioners rather the specific allegation of assault is against the co-accused persons, namely, Samsul Miyan and Madan Miyan.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances that there is no accusation of any assault or overt act against these petitioners and the petitioners have clean antecedent, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 the learned Chief Judicial Magistrate, Jamui in connection with Chakai P.S. Case No. 133 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-



i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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