

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57838 of 2024

Arising Out of PS. Case No.-299 Year-2022 Thana- BAHERA District- Darbhanga

1. Mahiuddin Ansari @ Md. Mahiuddin Ansari@Md.Meudin Ansari Son Of Late Nabud Ansari Resident Of Village- Pauri, P.S.- Bahera, Distt.- Darbhanga
2. Ali Imam@Md. Ali Imam Ansari Son Of Mahiuddin Ansari @ Md. Mahiuddin Ansari@Md.Meudin Ansari Resident Of Village- Pauri, P.S.- Bahera, Distt.- Darbhanga
3. Md. Ali Hassan@Ali Hassan Ansari@Md.Ali Hassan Ansari Son Of Mahiuddin Ansari @ Md. Mahiuddin Ansari@Md.Meudin Ansari Resident Of Village- Pauri, P.S.- Bahera, Distt.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar

For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-09-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 341, 308, 427, 323, 379 and 504 of the Indian Penal Code.

3. The learned counsel for the petitioners submits that the offences for which the instant FIR has been instituted, carries punishment of less than seven years, but then fairly submits that police, during the course of investigation, granted the benefit of Section 41(A) of the Cr.P.C to the petitioners. It is next submitted that petitioners during the course of investigation cooperated and the police never felt the need of arresting the petitioners but after investigation charge-sheet came to be submitted based on which



cognizance was taken and thus petitioners apprehend arrest.

4. Learned counsel for the petitioners next submits that when during the course of investigation, the police never felt the need of arresting the petitioners, whether it would be prudent for this Court to send the petitioners to jail based on order of cognizance which came to be taken based on the same investigation in which police never made any endeavours to arrest the accused.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

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. 10,000/- (Rupees Ten 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 Bahera P.S. Case No. 299 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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