

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59670 of 2024

Arising Out of PS. Case No.-599 Year-2023 Thana- PALIGANJ District- Patna

1. Md. Yusuf Ansari, Son of Md. Ganauri Ansari Resident of Village- Chhitar Bigha, P.S.- Paliganj, District- Patna
2. Md. Yunus Anus Ansari @ Md. Yunus Ansari Son of Md. Ganauri Ansari Resident of Village- Chhitar Bigha, P.S.- Paliganj, District- Patna
3. Ajamari Khatun @ Ajmeri Khathun Wife of Inus Ansari Resident of Village- Chhitar Bigha, P.S.- Paliganj, District- Patna
4. Kurban Ansari Son of Md. Ganauri Ansari @ Ganauri Miyan Resident of Village- Chhitar Bigha, P.S.- Paliganj, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Chandra

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-09-2024 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 323, 325, 307, 379, 504 and 506/ 34 of the Indian Penal Code.

3. The learned counsel for the petitioners submits that the petitioner nos.2 and 3 has antecedent of one case and petitioners nos.1 and 4 are persons with clean antecedent and the informant alleges that on 11.11.2023, the accused persons



along with the petitioners came and started assaulting for no reason and on protest, Md. Yusuf Ansari, Md. Yunus Ansari and Md. Kurban Ansari assaulted the informant and his two sisters by an iron rod and knife. Further, Rehana and Ajmeri Khatoon also assaulted his sister by knife and Noor Alam, Gayasuddin and Sarfuddin snatched Rs.3200 from the informant.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant by the informant. It is also submitted that from perusal of the allegation as alleged in the FIR, it would manifest that petitioners and the informant are related. It is next submitted that parties are having dispute relating to land, as such, an altercation had taken place in which both sides assaulted each other.

5. Learned A.P.P. opposes the anticipatory bail application and submits that allegation is of assaulting the informant and his two sisters by knife causing injury, on which the learned counsel appearing on behalf of the petitioners submits that injury has not been discussed in the order impugned.

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 Court below



within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Danapur, Patna in connection with Paliganj P. S. Case No.599 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that the learned trial Court before accepting the bail bonds of the petitioner shall verify the injury report of the injured and in the event, if it is found that any of the injured has suffered grievous injury or injury caused by sharp edged weapon/ knife, in that event, the present anticipatory bail order shall not be given effect to, but if the injury suffered by the injured is simple in nature caused by hard and blunt substance, in that event, the bail bonds of the petitioners shall be accepted forthwith.

(Satyavrat Verma, J)

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