

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58074 of 2024

Arising Out of PS. Case No.-493 Year-2023 Thana- UCHKAGAON District- Gopalganj

1. Israfil Ansari Son of Late Md. Mohammudin Ansari Resident of village- Pakhopali PS -Uchkagaon Dist -Gopalganj
2. Rameez Raja @ Sebu Alam @ Sebu Ali son of Israfil Ansari Resident of village- Pakhopali PS -Uchkagaon Dist -Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dharmveer Jha, Advocate
For the State	:	Mr. Dr. Ajeet Kumar, APP
For the Informant	:	Mr. Javed Aslam, Advocate

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 11-09-2024 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with Uchkagaon P.S. Case No.493 of 2023 instituted under Sections 341, 323, 307, 504, 379, 506 and 34 of the Indian Penal Code.

3. As per prosecution case, on refusal of withdrawing previous case filed by the informant, the accused persons including these petitioners having armed with knife, sword, *lathi-danda* came at the door of the informant and assaulted her. Meanwhile, petitioner no.2 inflicted knife blow on the informant due to which she sustained injury near her right eye. When the mother of the informant came to rescue her, the accused persons



also assaulted her. Co-accused Momina Khatoon is alleged to have snatched ornaments from the informant and her mother.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case due to land dispute. No specific allegation is made against petitioner no.1. The allegation of assault is against petitioner no.2 with knife on the head of the informant but the same is not corroborated by the injury report. The injury sustained by the injured is found to be simple in nature. The allegation of snatching ornaments is ornamental. Petitioner no.1 has one criminal antecedent in which he is on bail and petitioner no.2 has no criminal antecedent. They undertake to cooperate in the investigation.

5. Learned counsel for the informant and learned A.P.P. for the State oppose the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IX, Gopalganj in connection with Uchkagaon P.S. Case No.493 of



2023, subject to the conditions as laid down in Section 438(2) of
the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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