

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64170 of 2024

Arising Out of PS. Case No.-45 Year-2024 Thana- BHAGWANGANJ District- Patna

1. Md. Anshar Ahmad @ Md. Ansar Alam @ Anshar Ahmad Son of Md. Ekbal Alam @ Md. Ekbal Ahmad Resident of Village- Danara, P.S. - Bhagwanganj, District- Patna
2. Md. Ekbal Alam @ Md. Ekbal Ahmad Son of Md. Nashu Mahrum Resident of Village- Danara, P.S. - Bhagwanganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra
For the Opposite Party/s : Mr. Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-10-2024 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 341, 323, 325, 354(B), 307, 504, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioner no. 1 is a person with clean antecedent and petitioner no. 2 has antecedent of one case, but then he was acquitted in the said case. It is next submitted that informant alleges that on 29.03.2024 at 05:30 PM in his absence, the accused persons including the petitioners came and started acting inappropriately with his two daughters, on protest by his wife and son, the



accused assaulted them causing injury on head of his son, thereafter accused assaulted his younger daughter who fell unconscious while Md. Anshar assaulted his wife by *lathi* causing injury and Md. Absar assaulted his elder daughter by *lathi*.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is also submitted that Bhagwanganj P.S. Case No. 46 of 2024 has been instituted by the side of the petitioners against the informant. It is next submitted that on account of dispute amongst the ladies of both the families, a false FIR came to be instituted. It is next submitted that petitioners will not abscond rather will co-operate in the investigation to prove their innocence.

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 Bhagwanganj P.S. Case No. 45 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioners despite giving assurance to this Court are not co-operating in the investigation or are not presenting themselves as and when required in that event the learned Trial Court shall be at liberty to forthwith cancel the bail bonds of the petitioners.

8. Let a copy of this order be sent to the concerned P.S. through the learned Trial Court.

(Satyavrat Verma, J)

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