

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72907 of 2024

Arising Out of PS. Case No.-70 Year-2024 Thana- BUXAR INDUSTRIAL District- Buxar

1. Kurban Ansari Son of Khalil Ansari R/O Vill.- Badaki Kothiya, P.S.- Industrial Area, Dist.- Buxar
2. Nasim Ansari Son of Khalil Ansari R/O Vill.- Badaki Kothiya, P.S.- Industrial Area, Dist.- Buxar
3. Wasim Ansari @ Wasib Ansari Son of Khalil Ansari @ Md Khalil R/O Vill.- Badaki Kothiya, P.S.- Industrial Area, Dist.- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Dimpal Kumari, Advocate
For the State	:	Mr. Dilip Kr. No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 2 24-10-2024 Heard learned counsel for the petitioners and Mr. Dilip Kr. No. 1, learned APP for the State.
2. At the very outset, learned counsel for the petitioners seeks permission to withdraw the prayer for anticipatory bail of the petitioner no. 1.
3. Permission is granted.
4. Accordingly, the prayer for anticipatory bail made through the instant application, on behalf of the petitioner no. 1 is dismissed as withdrawn.
5. Now, the present application is being heard for consideration of bail of the petitioner nos. 2 and 3.



6. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 147, 148, 149, 341, 323, 324, 307, 354 of the IPC.

7. Allegedly, the petitioners along with other accused persons are said to have assaulted the informant and his family members with lathi danda and other weapons due to which they sustained injuries. It is further alleged that all accused persons abused them.

8. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to village politics. No such occurrence, in the manner as alleged, has ever taken place. There is case and counter case between the parties and both sides have sustained injury. Further, parties are agnates and there is land dispute between them. Though the injury has been found greivous in nature, but the same is not alleged to have been attributed by the petitioner nos. 2 and 3. Petitioners have no criminal antecedent.

9. Learned APP for the State opposed the prayer for bail.

10. Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioners, let the above named petitioner nos. 2 and 3, be released on bail, in the



event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Buxar (Ind.) P.S. Case No.70 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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