

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.748 of 2024

Arising Out of PS. Case No.-55 Year-2023 Thana- MATIYARIA District- West Champaran

Khalid Ansari @ Khakid Ansari son of Md. Najir Ahmad Ansari, resident of Village-Daraul, Police Station-Matiyariya, District-West Champaran (Bettiah).

... .. Petitioner/s

Versus

The State of Bihar .

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 840 of 2024

Arising Out of PS. Case No.-55 Year-2023 Thana- MATIYARIA District- West Champaran

1. Absar Ansari S/O LATE MD. ALI ANSARI R/O VILLAGE- DARAUL, PS. MATIYARIYA, DIST. WEST CHAMPARAN (BETTIAH).
2. AMANULAH ANSARI @ AMANULLAH S/O MD. NAJIR AHMAD ANSARI R/O VILLAGE- DARAUL, PS. MATIYARIYA, DIST. WEST CHAMPARAN (BETTIAH).
3. SOHAIL ANSARI @ MD. SOHAIL ANSARI S/O KASIM ANSARI R/O VILLAGE- DARAUL, PS. MATIYARIYA, DIST. WEST CHAMPARAN (BETTIAH).
4. IMRAN ANSARI @ MD. IMRAN S/O KASIM ANSARI R/O VILLAGE- DARAUL, PS. MATIYARIYA, DIST. WEST CHAMPARAN (BETTIAH).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 748 of 2024)

For the Petitioner/s : Mr.Aditya Nath Jha

For the Opposite Party/s : Mr.Pradeep Narain Kumar

(In CRIMINAL MISCELLANEOUS No. 840 of 2024)

For the Petitioner/s : Mr.Aditya Nath Jha

For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

2 24-01-2024

Heard learned counsel for the petitioners as well as the



learned counsel for the informant.

2. The petitioners apprehend their arrest in connection with Matiyaria P.S. Case No. 55 of 2023, registered for the offences punishable under Sections 341, 323, 324, 379, 307, 504/34 of the Indian Penal Code.

3. As per allegation, on 14.04.2013 when the informant along with others was planting paddy crop in his field, accused persons armed with deadly weapons came there and opposed the informant and also abused him. It is alleged that due to previous land dispute accused Khalid Ansari assaulted informant by *daab* upon the head of the informant causing injury. The accused persons also assaulted the brother of the informant.

4. The learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. So far as petitioner Khalid Ansari is concerned there is allegation that he assaulted the informant with *daab* on his head causing injuries. The injuries suffered by the informant are simple in nature. He has further submitted that so far as the petitioners in Cr. Misc No. 840 of 2024 are concerned, there is no specific allegation against them. He has further submitted that all the petitioners are the persons of clean antecedents.

5. On the other hand, the learned counsel for the informant has opposed the prayer for bail and submitted that there is specific allegation against petitioner Khalid Ansari of inflicting *daab* blow on



the head of the informant who suffered incised wound on his vital part and for Section 307 of the I.P.C., the simple nature is not a material fact.

6. In preliminary injury report, the injury suffered by the informant are found simple in nature and thereafter, CT Scan was directed to be done. In CT Scan also, nothing was found in respect of that injury and it has been written as NAD.

7. Considering the above-mentioned facts and circumstances, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran (Bettiah) in connection with Matiyaria P.S. Case No. 55 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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