

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1129 of 2024

Arising Out of PS. Case No.-543 Year-2023 Thana- BANKA District- Banka

1. MD. ZIYARAT HUSSAIN @ ZIYARAT ANSARI SON OF ALAUDDIN ANSARI RESIDENT OF VILLAGE- SHASHAN, POLICE STATION AND DISTRICT- BANKA.
2. Panchu @ Shahanwaj Ansari @ Panchu Anssari son of Zakir Ansari Village- Shashan Ps Dist- Banka
3. Dablu @ Sonam Ansari @ Sonam Anssari son of Zakir Ansari Village- Shashan Ps Dist- Banka

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 25-04-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners have preferred this application for grant of anticipatory bail in connection with Banka P.S. Case No. 543 of 2023, for the offences punishable under Sections 341, 323, 325, 307, 379, 354, 427, 504, 506, 34 of the Indian Penal Code.

3. As per prosecution case, the petitioners and co-accused persons are alleged to have snatched Rs. 16,000/- from the shop of the informant and threatened the informant's mother and went to the informant's house and the petitioner no. 2



abused and assaulted the informant with iron rod on his head due to which his head got injured. The co-accused Tunna @ Saddam assaulted him with lathi due to which his leg got fractured. When the informant's wife intervened, then the petitioner no. 3 tried to outrage her modesty by tearing her clothes. It is also alleged that the co-accused Bablu @ Asif Ansari snatched a silver chain of 6 bhar of the informant's wife.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners have no criminal antecedent as stated in para 3 of the bail petition. There is a case and counter case between both the parties and also there is land dispute between the both the parties. Both the parties are agnates. The injury sustained by the informant is found to be simple in nature. There is no specific allegation against the petitioners rather the allegation is general and omnibus against the petitioners whereas the specific allegation of assault is against co-accused Tunna @ Saddam.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of injury is found to be simple



in nature, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned court concerned, Banka in connection with Banka P.S. Case No. 543 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Ranjeet/-

U		T	
---	--	---	--

