

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 67950 of 2024

Arising Out of PS. Case No.-756 Year-2023 Thana- GARKHA District- Saran

1. Appu Ansari @ Toshif Ansari Son of Kalamuddin Ansari Resident of Village- Bhajit Pur, Police Station - Garkha, District- Saran
2. Kallu Ansari @ Allau Ansari Son of Kalamudin Resident of Village- Bhajit Pur, Police Station - Garkha, District- Saran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Govind Mishra

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 22-03-2025 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The petitioners are apprehending arrest in a case registered for the offences punishable in connection with Garkha P.S. Case No.756 of 2023 under Sections 436, 427 and 429 of the Indian Penal Code.

3. As per the prosecution, the FIR has been lodged against 9 named accused persons including the petitioners against whom there is allegation that they all in connivance with each other have poured petrol on the house of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He



submits that the petitioners have been falsely implicated in this case. He further submits that only due to enmity, their names have been inserted in this case. He further submits that both informant and petitioners belong to the same village and they are well known to each other and only dispute occurred between them with regard to the booking of the orchestra.

5. Counsel also submits that petitioners' antecedent are not clean. There are 4 criminal cases pending against the petitioner No.1 and only one criminal case pending against the petitioner No.2. He further submits that petitioners are ready to fulfill all the conditions whatsoever shall be imposed upon them.

6. Counsel further submits that with a view to make due verification, this Hon'ble Court has called for case diary. He submits that there are some accused persons against whom final form has been submitted.

7. Learned APP for the State opposes the prayer for bail and upon perusal of the case diary, there is no conclusive material against them.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail, in the event of arrest or surrender before



the Trial Court within a period of 4 weeks from today as well as on being satisfied by the trial court that the petitioners are not absconding in any of the cases which are pending against them whose details are mentioned below, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each with two sureties of the like amount each to the satisfaction of Addl. Chief Judicial Magistrate-IV, Chapra at Saran in connection with Garkha P.S. Case No.756 of 2023, subject to the following conditions as laid down under Section 438(2) of Cr.P.C.

9. The details of the cases which are pending against the petitioner No.1, are as follows:-

- i. Garkha P.S. Case No.310 of 2020.
- ii. Garkha P.S. Case No.510 of 2021.
- iii. Garkha P.S. Case No.742 of 2023.
- iv. Garkha P.S. Case no.741 of 2023.

10. The details of the case which is pending against the petitioner No.1, are as follows:-

- i. Garkha P.S. Case No.310 of 2020.

(Dr. Anshuman, J.)

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