

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69620 of 2025

Arising Out of PS. Case No.-82 Year-2023 Thana- DHORAIYA District- Banka

1. Ajim Ansari Son of Sabdul Ansari Resident of Village- Rabbidih, Ps-Dhoraiya, Dist- Banka
2. Chunna Ansari son of Ajhar Ansari Resident of Village- Rabbidih, Ps-Dhoraiya, Dist- Banka
3. Aarif Ansari Son of Ajhar Ansari Resident of Village- Rabbidih, Ps-Dhoraiya, Dist- Banka
4. Sarfaraj Ansari son of Rafiq Anasari Resident of Village- Rabbidih, Ps-Dhoraiya, Dist- Banka
5. Izaj Ansari Son of Abdul Gaffar Ansari Resident of Village- Rabbidih, Ps-Dhoraiya, Dist- Banka
6. Julfkar @ Jullo son of Lalu Ansari Resident of Village- Rabbidih, Ps-Dhoraiya, Dist- Banka
7. Mursalim Ansari Son of Sathindra Ansari Resident of Village- Rabbidih, Ps-Dhoraiya, Dist- Banka
8. Habibulla Ansari @ Habeeb Ulla Ansari Son of Hadis Ansari Resident of Village- Rabbidih, Ps- Dhoraiya, Dist- Banka
9. Ajhar @ Ajhar Ansari son of Panchu Ansari Resident of Village- Rabbidih, Ps- Dhoraiya, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Adv.
For the Opposite Party/s : Mr.Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 24-09-2025 Heard Mr. Dhananjay Kumar Pandey, learned counsel
for the petitioners and learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Dhoraiya P.S. Case No. 82 of 2023 for the offence under Sections 147, 149, 341, 323, 324, 379, 307, 354 of the IPC.



lodged on 29.03.2023 by the informant.

3. As per the prosecution case, the informant alleged that he was assaulted by all the FIR named accused persons by means of *Lathi*, hammer, knife, *bhala* etc., and received head injury. It has further been alleged that Rs. 6000/- was taken away from his pocket. Accordingly, the FIR.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to land dispute and they have not committed any offence as alleged in the FIR and the allegation against them are general and omnibus in nature. It has next been submitted that there is a counter version of the entire allegation which is levelled against the petitioners and wife of one Babar Ansari who has also been made accused in this case, who got died during course of investigation of the instant case, has also lodged an FIR bearing Dhoraiya P.S. Case No. 83 of 2023 on the same date for the same occurrence under Sections 341, 323, 324, 379, 307/34 of the IPC. The copy of the said FIR has been placed before this Court during course of hearing which kept on record at **Flag 'X'**. Learned counsel for the petitioners, referring to the order passed by learned Sessions Judge, Banka passed in Anticipatory Bail Petition No. 586 of 2023, has tried to show that despite sufficient opportunity having been given to the learned Public Prosecutor to produce CD, CA and injury report



and he has failed to produce the same and still without there being any such reports, the privilege of anticipatory bail has not been extended in favour of the petitioners. It has next been submitted that merely on the basis of certain allegations of head injury and in absence of such report to substantiate the same, the anticipatory bail of the petitioners, in a very mechanical manner, has not been considered by the learned trial court.

5. On the other hand, learned APP vehemently opposes the prayer for anticipatory bail of the petitioners submitting that all the petitioners are said to have assaulted the informant.

6. Considering the aforesaid submissions of the parties and the fact that the allegations against these petitioner are general and omnibus in nature, there is a counter versions also, land dispute is also there and they do not have any criminal antecedents, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners, above named, be released on bail, in the event of arrest or surrender within a period of four weeks, from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with aforesaid PS Case, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the



BNSS as well as the following conditions:-

- (i) one of the bailors should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;
- (ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;
- (iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail
- (iv) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Ajit Kumar, J)

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