

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83383 of 2024

Arising Out of PS. Case No.-217 Year-2024 Thana- DHAKA District- East Champaran

1. Athar Ansari Son of Mohammad Jan Ansari Resident of Village - Gamhariya, Police Station - Dhaka, District - East Champaran
2. Nasir Alam Ansari Son of Mohammad Jan Ansari Resident of Village - Gamhariya, Police Station - Dhaka, District - East Champaran
3. Sahjahan @ Sahjahan Ansari Wife of Ahmad Ansari Resident of Village - Gamhariya, Police Station - Dhaka, District - East Champaran
4. Anwar Ansari @ Anwar Alam Ansari Son of Mohammad Jan Ansari Resident of Village - Gamhariya, Police Station - Dhaka, District - East Champaran
5. Ahmad Ansari Son of Sahid Ansari Resident of Village - Gamhariya, Police Station - Dhaka, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Govind Mishra, Advocate
For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 17-01-2025 Heard learned counsel for the petitioners, learned
APP for the State and perused the case diary.

2. At the outset, learned counsel for the petitioner seeks permission of this Court to withdraw the present bail application as against petitioner no. 2, namely, Nasir Alam Ansari on account of his arrest.

3. Permission is accorded.

4. The present present bail application is dismissed as withdrawn as against petitioner no. 2, namely, Nasir Alam Ansari.



5. The petitioner nos. 1, 3, 4 and 5 apprehend arrest in connection with Dhaka P.S. Case No. 217 of 2024, registered under Sections 147, 149, 341, 323, 324, 307, 379, 354, 504 and 506 of the Indian Penal Code.

6. The prosecution case, in short, is that, the accused persons including the petitioners is of assaulting the informant and his family members.

7. Learned counsel for the petitioners submits that the petitioner nos. 1, 3, 4 and 5 are innocent and have falsely been implicated in the present case. Learned counsel for the petitioners also submits that the prosecution case has been instituted due to land dispute between the parties. Both the parties are co-villagers. It is next submitted that there is case and counter case between the parties. The petitioner nos. 1, 3, 4 and 5 have got no criminal antecedent. Learned counsel for the petitioners further submits that similarly situated co-accused have been granted bail by this Court vide order dated 01.10.2024 passed in Cr. Misc. No. 66253 of 2024.

8. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner nos. 1, 3, 4 and 5.

9. Considering the aforesaid facts and circumstances, let the petitioner nos. 1, 3, 4 and 5, above named in the event of



arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Dhaka P.S. Case No. 217 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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