

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84921 of 2024

Arising Out of PS. Case No.-184 Year-2023 Thana- AWTARNAGAR District- Saran

1. Sanullah Ansari @ Sainulla Ansari @ Sanullah Mian S/o Late Md. Hanif Ansari Resident of Village- Narav @ Naraon PS- Awatar nagar District- Saran
2. Ganaur Mian S/o- Late Khalil Mian Resident of Village- Narav @ Naraon PS- Awatar nagar District- Saran
3. Ramzan Mian @ Ramzan Ali S/o- Sanullah Ansari @ Sainulla Ansari @ Sanullah Mian Resident of Village- Narav @ Naraon PS- Awatar nagar District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi
For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 01-05-2025 Heard learned counsel for the petitioners, and the State.

2. Petitioners apprehend their arrest in connection with Awatar Nagar P.S.Case No. 184 of 2023 registered for the offences punishable under Sections 341, 323, 307, 379/34 of the Indian Penal Code.

3. There is general and omnibus allegation against four persons of having assaulted the informant when he was asking for return of money, which was given as a loan 15 years back. There is further allegation on three other persons, who also joined in assaulting the wife of the present informant, when



she intervened in the matter.

4. Learned counsel for the petitioners submits that the very genesis of the case is not to be believed as it has been stated that return of the money which was being asked was given as loan 15 years back. It has next been submitted that there is general and omnibus allegation on all the accused persons of having assaulted the informant and his wife. There is a counter version to the said incident and as a matter of fact, the daughter-in-law of petitioner no.1 had filed a complaint case reporting the said matter, when her application before the police was not registered as an FIR. The prescription of the daughter-in-law of petitioner no. 1 has also been brought on record by way of Annexure P-4 along with some photographs and the same would go to show that there were injuries on the side of the petitioners as well. So far as the injuries sustained by the informant and his wife are concerned, there is no injury on record to show that the wife of the informant had received any injury. The injury report of the informant recorded in paragraph 13 of the case diary indicates three injuries which are in the nature of laceration, pain and swelling.

5. Learned APP for the State on the strength of this injury report opposes the anticipatory bail by pointing out that



one of the injury is grievous in nature. In response to the said submission, the learned counsel for the petitioners points out that third injury which is shown to be grievous in nature is in the nature of pain and swelling in the left hand which is not the vital part of the body.

6. Taking into consideration all the above mentioned facts and circumstances and also considering the fact that the petitioners have no criminal antecedent, I am inclined to grant privilege of anticipatory bail to the petitioners. Accordingly, in the event of their arrest/ surrender within a period of four weeks from today the petitioners shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st class, Saran at Chuapra in Awatar Nagar P.S. Case No. 184 of 2023, subject to condition as laid down under Section 438(2) of the Cr.P.C and subject to the further condition that the petitioners shall co-operate in investigation/ trial.

(Soni Shrivastava, J)

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