

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 4298 of 2021

Arising Out of PS Case No.-9 Year-2020 Thana- PRATAPGANJ District- Supaul

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1. Md. Salauddin Ansari, aged about 35 years, Male.
 2. Md. Alauddin Ansari @ Md. Alauddin, aged about 32 years, Male Both Sons of Eid Mohammad.

Both are resident of Village- Bhawanipur Uttar, Duaniya, PS- Pratapganj, District-Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate

For the State : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 08-06-2021

The matter has been heard *via* video conferencing.

2. The matter has been heard out of turn on the basis of motion slip filed by learned counsel for the petitioners yesterday, which was allowed.

3. Heard Mr. Nafisuzzoha, learned counsel for the petitioners and Mr. Ramchandra Sahni, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

4. The petitioners apprehend arrest in connection with Pratapganj PS Case No. 09 of 2020 dated 23.01.2020, instituted



under Sections 341, 447, 323, 324, 325, 379, 354A, 504 and 506/34 of the Indian Penal Code.

5. The allegation against the petitioners and others is of assault on the informant and her family members leading to injuries and specifically against these two petitioners is of assault by *lathi*, *danda* and *farsa* which resulted in fracture on the leg of the mother-in-law of the informant and also on the leg of the father-in-law, who later on succumbed to the injury.

6. Learned counsel for the petitioners submitted that the allegation is general and omnibus of also having assaulted later on. Learned counsel submitted that both parties are neighbours and there is dispute of land and there is also a counter case for the same incident which has been lodged by the father of the petitioners, who is also an accused in the present case. Learned counsel submitted that the petitioners have no criminal antecedent.

7. Learned APP submitted that there has been serious injuries on the side of the informant and the petitioners are specifically accused of having given blow by *lathi*, *danda* and *farsa*. It was further submitted that the wound inflicted on the father-in-law of the informant has led to his death later on.



8. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to grant pre-arrest bail to the petitioners.

9. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

P. Kumar

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