

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.1733 of 2025

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1. Md. Waris @ Gulam Waris aged about -23, S/o – Nashir Uddin, Resident of Village – Bhatuatand, P.O. – Khorimahua, P.S. – Dhanwar, District – Giridih (825412), Jharkhand.
 2. Nasir Uddin @ Nasiruddin @ Md. Nasiruddin aged about – 58 years, S/o Mathura Miya, Resident of village – Bhatuatand, P.O. – Khorimahua, P.S. – Dhanwar, District – Giridih (825412), Jharkhand.

.... Petitioners

Versus

The State of Jharkhand

.... Opposite Party

Coram: HON'BLE MR. JUSTICE PRADEEP KUMAR SRIVASTAVA

For the Petitioners : Mr. Rahul Dev, Adv.
For the State : Mr. Sardhu Mahto, Addl. P.P

Order No.04/Dated- 11.04.2025

Heard learned counsel for the parties.

2. Apprehending their arrest in connection with Dhanwar P.S. Case No. 168 of 2023 instituted under Sections 147, 148, 149, 341, 323, 324, 325, 307, 354, 385, 379, 448, 504 and 506 of the Indian Penal Code, the petitioners have moved this Court for grant of privilege of anticipatory bail.
3. As per FIR, allegation is that the scuffle has broken in a sudden manner between the parties due to construction over the disputed land, which was under the proceeding of Section 144 of the Cr.P.C. It is further alleged that when the informant went to inquire about the same, the petitioners along with others inflicted iron rod blows upon the head of the informant and caused her grievous head injuries and blood started oozing out. When the informant's husband came to rescue her, one Akbar Ansari hit on the mouth of her husband as a result of which his six front teeth were got broken. When Mayuddin Ansari came to save, Nasruddin attacked him with a sword due to which Mayuddin's forehead got cut and Tausif Ansari attacked on the left shoulder due to which Mayuddin's shoulder bone also got broke. Other co-accused namely Parijan Miyan inflicted a tangi blow on the forehead of Hasina Khatoon due to which injury was caused on her forehead. It is further

alleged that Akbar Ansari and Waris Ansari outraged the modesty of the informant by making her half naked. It is further alleged that Sagir Ansari snatched silver chain from the informant's neck and gave to Tazmul Ansari.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have committed no offence at all rather they have been falsely implicated in this case. It is further submitted that this is second anticipatory bail application of the petitioners and earlier anticipatory bail application being A.B.A. No.9826 of 2023 was rejected on merits by this Court and petitioner has renewed his prayer for anticipatory bail again. It is further submitted that now the compromise has been entered into between the informant and other co-accused Parijan Miyan and said Parijan Miyan has also been acquitted after facing the trial. Petitioners undertake to cooperate with the investigation of the case and will also abide by all terms and conditions imposed by this Court in the matter of granting anticipatory bail. Hence, the petitioners may be extended the privilege of anticipatory bail.

5. On the other hand, learned Addl. P.P appearing for the State has vehemently opposed the prayer for anticipatory bail of the petitioners and submitted that earlier anticipatory bail application has been rejected on merits. The grounds taken by learned counsel for the petitioners, furnish no new and fresh ground for entertaining the second anticipatory bail application which is fit to be dismissed. Hence, petitioners may not be extended the privilege of anticipatory bail.

6. Considering the points of argument of learned counsel for the petitioners, it appears that no fresh and reasonable ground has been taken to re-entertain the prayer for second anticipatory bail application of the petitioners. Therefore, the prayer of second anticipatory bail of the petitioners is **rejected**.

(Pradeep Kumar Srivastava, J.)