

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17308 of 2015

Arising Out of PS.Case No. -103 Year- 2010 Thana -CHIRAIYA District-
EASTCHAMPARAN(MOTIHARI)

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SAMSAD ANSARI @ SAMSAD MIAN S/O LATE AZIZ ANSARI @
AZIZ MIAN RESIDENT OF VILLAGE- MAUGURAHA, P.S.-
CHIRAIYA, DISTRICT EAST CHAMPARAN

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

=====

with

Criminal Miscellaneous No.20113 of 2015

Arising Out of PS.Case No. -103 Year- 2010 Thana -CHIRAIYA District-
EASTCHAMPARAN(MOTIHARI)

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NANHAK PASWAN SON OF LATE DURGA PASWAN RESIDENT OF
VILLAGE - MOHADIPUR, POLICE STATION - CHIRAIYA, DISTRICT
- EAST CHAMPARAN

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance :

(In Cr.Misc. No.17308 of 2015)

For the Petitioner/s : Mr. Ajay Kumar Singh, Adv.

For the Opposite Party/s : Mr. Nityanand (App)

(In Cr.Misc. No.20113 of 2015)

For the Petitioner/s : Mr. Sunil Prasad Singh, Adv.

For the Opposite Party/s : Mr. Vinod Shankar Modi(App)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 22-06-2015 Cr. Misc. No.17308 of 2015 wherein Samsad Ansari

@ Samsad Mian is the petitioner, Cr. Misc. No.20113 of 2015

wherein Nanhak Paswan is the petitioner commonly originate out

of Chiriaya P.S. Case No.103 of 2010, hence both have been

heard together and are being disposed of by a common order.

Members of banned organization raided the house of

informant, caught hold him and assaulted him as he flouted the

“Band” called by Maowadi organization at an earlier occasion. It has also been averred in the written report that informant has come to know regarding demand of ransom, realization from brick-kiln owner.

Case diary has been perused and nothing substantial has been collected against both the petitioners.

However, so far petitioner Nanhak Paswan is concerned from para-3 of the bail petition, it is apparent that he has been shown to be an accused in connection with Chiriaya P.S. Case No.222 of 2011, Chiriaya P.S. Case No.97 of 2011, Kumdwa Chainpur P.S. Case No.108 of 2013 while from para-37 of the supplementary case diary it is evident that he was arrested in connection with Chiriaya P.S. Case No.220 of 2011 on account of illegal possession of firearm. From para-42 of the supplementary case diary, it is evident that eight cases have been shown by way of criminal antecedent. The aforesaid background, averments made under para-3 of the petition is not at all found bonafide. Hence for the present his prayer for bail is rejected.

With regard to petitioner Samsad Ansari @ Samsad Mian, from para-55 of the supplementary case diary the averments made under para-3 of the petition is found correct and that being so, petitioner Samsad Ansari @ Samsad Mian is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees

Ten Thousand) with two sureties of the like amount each, to the satisfaction of Shri Umashankar, Judicial Magistrate, 1st Class, Sikrahna at Motihari in connection with Chiriaya P.S. Case No.103 of 2010.

(Aditya Kumar Trivedi, J.)

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