

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42806 of 2015

Arising out of PS.Case No. -354 Year- 2014 Thana -BHABHUA District- BHABHUA (KAIMUR)

Abid Ansari, S/o Murtuza Ansari, R/o Village - Masarhi, P.S. - Ramgarh,
District - Kaimur (Bhabua).

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Sanjay Kumar @ Manu, Advocate.

For the Opposite Party : Mr. S.D.Singh Yadav (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-11-2015 Heard learned counsel for the petitioner and learned
counsel for the State

The petitioner is languishing in custody since 02.04.2015
in connection with Bhabua P.S. Case No. 354 of 2014 for the
offences instituted under Sections 395, 397 and 412 of the IPC.

The prosecution story, in brief, is that on 06.08.2014 at
about 9.00 P.M., this petitioner and other co-accused came at
Sasaram Bus Stand where the informant being the driver of the
vehicle was waiting for passenger and hired the informant's
vehicle for going to Village-Marichaon for Rs. 1200/-. When the
informant and accused person reached at Mohania then all accused
persons compelled the informant to take *Nasta*. Thereafter,
another unknown co-accused came there with Rakesh Yadav(co-



accused) also sat at the vehicle, saying that he is own brother and then the vehicle started to go at the alleged village. Thereafter, they reached the alleged village, then Rakesh Yadav said the informant to stop the vehicle and turned the vehicle opposite side, but in the meantime, two unknown persons came on motorcycle. It is further alleged that Rakesh Yadav and Abid Ansari(petitioner) caught hold the informant and put *Katta* at the forehead of the informant and they snatched key of the vehicle. They also took the informant in a field and tied his leg and hands and thereafter snatched cash of Rs. 6,000/- and dual sim mobile. Thereafter, this petitioner and other co-accused fled away with the alleged vehicle towards Mohania and the informant was surrounded by other miscreants. After some time they also fled away.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 02.04.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioner. It is submitted that the petitioner has been named in the FIR on the basis of confession made by the co-accused. The petitioner has not been put on TIP to ascertain his implication in the present case. There is no recovery of any incriminating article from possession of the petitioner.

On behalf of the State it has been submitted that the

petitioner is named in the F.I.R.and there is similar case against him.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner for the present. The same is rejected in Bhabua P.S. Case No. 354/2014, pending in the court of the learned C.J.M., Kaimur at Bhabua.

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(Sudhir Singh, J)