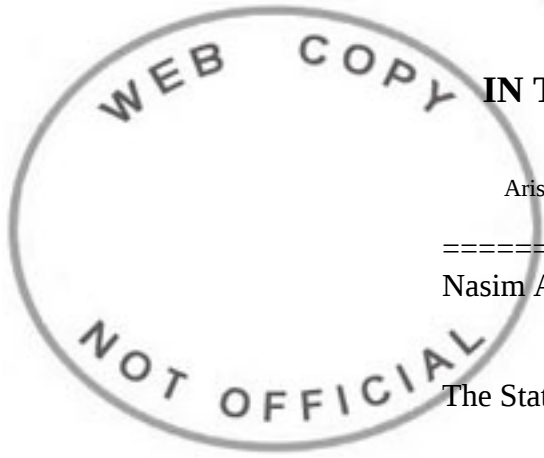




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36001 of 2014

Arising Out of PS.Case No. -311 Year- 2012 Thana -MUZAFFARPUR SADAR District-
MUZAFFARPUR

=====

Nasim Ansari son of Late Abdul Razaque

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 15-04-2015 Heard learned counsel for the petitioner as well as

learned counsel for the State.

In this application for anticipatory bail the petitioner apprehends his arrest for the offences punishable under sections 394 and 120 (B) of the I.P.C and section 27 of the Arms Act.

Allegedly, when the informant proceeded for Narayanpur F.C.I. Godown and when reached 200 yards away from N.H.2 persons covering their faces came, abused in filthy language and stated that when he was prohibited for not working in the F.C.I. Godown again he is going there and as such they will kill him and started assaulting him. In the meantime, one of the miscreants took out revolver and fired which caused injury on his

left arm and snatched his bag containing the cash of Rs. 30,000/-.

It is alleged that the petitioner and co-accused Raju Mahto got the above occurrence done as the petitioner has prohibited him from going to the F.C.I. Godown.

Submission is of false implication and that besides suspicion there is nothing against the petitioner. Co-accused Raju Mahto has already been granted regular bail by the court below itself. The informant in his further statement vide paragraph- 29 of the case diary has stated regarding raising of suspicion against the petitioner only and the independent witnesses vide paragraph- 35 of the case diary have stated regarding innocence of the petitioner and also regarding his good conduct.

The learned A.P.P. opposes prayer for pre-arrest bail.

In the facts and circumstances as stated above, considering that no one had seen the petitioner at the time of occurrence rather the independent witnesses vide paragraph-35 of the case diary have stated that on the day of occurrence the petitioner was with them on duty and as such the petitioner in case of his arrest or surrender within two months from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. C.J.M.

Muzaffarpur in Sadar P.S. Case No. 311 of 2012, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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