

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14481 of 2015

Arising Out of PS.Case No. -61 Year- 2012 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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Rizwan Ansari @ Rizwanullah Son of Imam Ansari resident of village -
Birganj Ward No. 14, P.S. Birganj, Distt. - Parasa (Nepal)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey

For the Opposite Party/s : Mr. Ajay Kumar 2(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 27-08-2015 Heard learned counsel for the parties.

Having regard to the fact that the prayer for bail of the petitioner was rejected earlier by an order dated 3.10.2013 in Cr.Misc.No. 14836/2013 directing the prosecution to complete the trial within a period of one year from the date of receipt of the order and the admitted position that the order of this Court dated 3.10.2013 was received in the court below on 5.12.2013 and yet prosecution did not produce a single witness in the period of one year, this Court by taking into account that the petitioner also claims to be only accused in two criminal cases, namely, present one and another case under the Arms Act being Raxaul P.S.Case No. 36/2012, would direct the court below to release the petitioner, Rizwan Ansari @ Rizwanullah, on bail, after making verification of the criminal antecedent, on furnishing bail bond of

Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the 1st Addl. Sessions Judge, Motihari in S.Tr.No. 137/2013 arising out of Motihari Town P.S.Case No. 61/2012, subject to the following conditions:

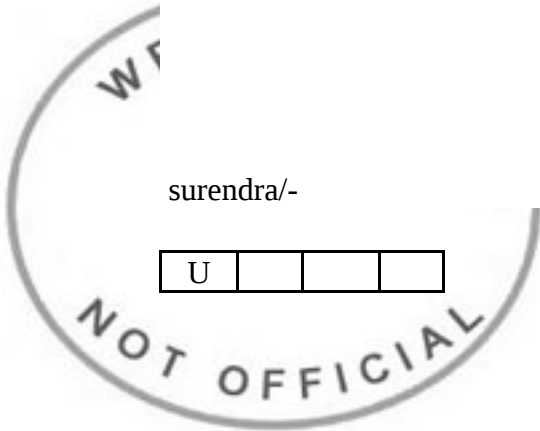
(i) That the court below shall make verification of criminal antecedent of the petitioner and if it is found that he is accused in any third criminal case beyond present one and Raxaul P.S.Case No. 36/2012, he shall not be released bail.

(ii) That both the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the Court if there is any change in the address of the petitioner.

(iii) That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

(iv) That the petitioner will be well represented on each and every date of trial and if he fails to do so on two

consecutive dates, his bail will be liable to be cancelled on this ground alone.



(Mihir Kumar Jha, J)