

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 1389 of 2015

Arising out of P.S. Case No. -167 Year- 2013 Thana -BAJPATTI
District- SITAMARHI

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Saddam Ansari S/o late Samsuddin Ansari r/o - Kharihanian, P.S. -
Dhaka, Distt. - East Champaran (Motihari).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Adv.

For the Opposite Party/s: Mr. Shakir Ahmad (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 16.01.2015

Heard learned counsel for the Petitioner and the
State.

The Petitioner seeks bail in a case instituted for the
offences under Section 302/34 of the Indian Penal Code and
Section 27 of the Arms Act.

Considering that apart from confessional statement
of the co-accused there is no other material against the
Petitioner and his brother, Tipu Sharma undertakes his
responsibility, let the Petitioner, above named be released on
bail on furnishing bail bond of Rs. 5,000/- (Five Thousand)
with two sureties of the like amount each or any other surety
as fixed by the Court to the satisfaction of Sub-Divisional
Judicial Magistrate, Sitamarhi in connection with Bajpatti P.S.
Case No. 167 of 2013 subject to the following conditions:- (i)
That one of the bailors will be a close relative of the Petitioner
who will give an affidavit giving genealogy as to how he is
related with the Petitioner and the other bailor shall be the
brother of the Petitioner namely Tipu Sharma. The bailor will
also undertake to inform the Court if there is any change in the



address of the Petitioner. (ii) 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. (iii) That the Petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse. (iv) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

In view of the antecedents of the Petitioner, the Petitioner is directed to appear before the Superintendent of Police, Sitamarhi within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the Petitioner will be kept under watch in this period by the superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the Petitioner before the court concerned.

(Anjana Prakash, J.)

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