

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29208 of 2016

Arising Out of PS.Case No. -1 Year- 2016 Thana -DORIGANJ District- SARAN

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1. Shahid Ansari @ Saheb Ansari Son of Mul Mohammad, Resident of Village Khajoori, PS Panapur, District Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Shashi Bhushan Kumar –Manglam, Advocate
Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr. Sri Bharat Lal, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 20-07-2016 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in jail since 22.01.2016 in a case registered for offences punishable under Sections 387, 427 and 506/120B of the Indian Penal Code, Sections 3,4 and 5 of the Explosive Act, Section 17 of C.L.A. Act and Sections 10,13,16, 17,18, 20 of U.A.P.Act.

The prosecution case as lodged on the basis of written complaint of the informant Shivji Singh before the Police In charge, Doriganj Police Station on 02.01.2016 is that he is currently employed as Administrative Officer with Singla Construction Company Pvt. Ltd. On 01.01.2016 at about 12 A.M.



telephonic information was received by him from Supervisor Balwant Singh that one generator of casting yard located in Badalpura village had been blown up by the Maoists. On receiving such information the informant went there and found that the internal portion of the generator had been severely damaged due to a bomb explosion and found three pamphlets lying near by on which it was stated in red ink that 'explosive action' would be taken against the company and at the end of letter one mobile number 7091948344 was mentioned alongwith one name Amin Sahni, Village- Dihi, P.S.-Maker North Bihar West Zonal Committee whereas on second paper warning was given in red ink that if they fail to pay demanded amount as being asked within required time then they be ready to face punishment for same. The said Supervisor further stated that about 10-15 Maoists were constantly giving threatening that if demanded amount would not be given they should get ready to face the consequences.

It has been submitted by the learned counsel for the petitioner that during investigation the night guards claimed to have seen the petitioner and others committing the offence. The villagers have also disclosed his name during course of investigation. He further submits that another case of similar

nature and allegation bearing Garkha P.S.Case No. 05/2016 has been lodged subsequently against this petitioner and other accused. He submits that the allegations in both the cases are same and just only on the basis of the statement of the night guards that the petitioner has been falsely implicated and another co-accused Pradumanpuri on similar allegations has since been granted the privilege of bail by a Co-ordinate Bench of this Court vide order dated 18.05.2016 passed in Cr. Misc. No. 20455 of 2016.

However learned A.P.P. for the State submits that although the petitioner is not named in the F.I.R. but the Night Guard identified the petitioner, hence opposes the prayer for bail.

In view of the aforesaid facts and circumstances, let the petitioner, namely, Shahid Ansari @Saheb Ansari 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 learned Additional Chief Judicial Magistrate VII, Saran at Chapra in connection with Doriganj P.S.Case No. 01 of 2016.

(Nilu Agrawal, J)

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