

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41656 of 2016

Arising Out of PS.Case No. -260 Year- 2009 Thana -NAWADA District- NAWADA

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Md. Jubair Ansari @ Jubair Ansari, Son of Md. Rasid Ansari, Resident of
Village- Jhunathi, P.S.- Muffasil, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 04-10-2016 Heard learned counsel for the petitioner and learned A.P.P.
representing the State.

The petitioner seeks bail in connection with Nawada
(Nagar) P.S. Case No. 260 of 2009 registered for the offences
punishable under Sections 452, 307/34 and 120(B) of the Indian
Penal Code.

The petitioner is not named in the FIR, his name transpired
in the confessional statement of co-accused Md. Mustaque, which
is evident from the impugned order and he is in custody since
27.07.2016. This case is of the year 2009 and the petitioner
remained absconding since long.

Submission is that the petitioner has got no knowledge
about the case, he lives in Kolkata and as soon as he got the
knowledge he surrendered voluntarily. In this case, other co-

accused have been allowed bail and as such, petitioner also deserves sympathetic consideration.

Learned A.P.P. opposes the prayer for bail by submitting that the petitioner remained absconding.

In the facts and circumstances stated above, considering that other co-accused have been allowed bail and the petitioner was not named in the FIR and besides confessional statement of co-accused there is nothing against this petitioner, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Chief Judicial Magistrate, Nawada in connection with Nawada (Nagar) P.S. Case No. 260 of 2009, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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