

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7692 of 2016

Arising Out of PS.Case No. -59 Year- 2014 Thana -PRATAPGANJ District- SUPAUL

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Md. Shameem Ansari @ Md. Samim Akhtar son of Jaffarullah Ansari,
resident of Village- Kamalpur, P.S.- Balua Bazar, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Nagendra Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

5 07-09-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Earlier prayer for bail of the petitioner was rejected
by this court, taking note of this fact that the petitioner was found
using mobile set of the deceased putting his own sim in the said
mobile and, thereafter, the mobile set of the deceased was
recovered on the basis of disclosure, made by the petitioner.

Submission on behalf of petitioner is that the
mobile set of the deceased was recovered from possession of co-
accused, Md. Jafarullah @ Md. Jafarullah Ansari, who happens to
be father of the petitioner. The co-accused, Md. Jafarullah @ Md.
Jafarullah Ansari has already been granted privilege of bail by a
coordinate bench of this court vide order dated 02-12-2015 passed

in Cr. Misc. No. 42774 of 2015 whereas; the petitioner is languishing in jail custody since 19-08-2014 and uptill now, not a single prosecution witness could be examined, which is evident from the report dated 29-07-2016 sent by learned Sessions Judge, Supaul.

From perusal of the report of learned Sessions Judge, I find that the charge against the petitioner was framed on 10-06-2016 but uptill now, not a single prosecution could be turned up to depose in favour of the prosecution.

Considering the above-said facts and circumstances of the case as well as the period of detention of the petitioner in jail custody, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Pratapganj P.S. Case No. 59 of 2014 to the satisfaction of learned Judicial Magistrate, Birpur, Supaul.

(Hemant Kumar Srivastava, J)

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