

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31630 of 2017

Arising Out of PS.Case No. -397 Year- 2015 Thana -DEHRI TOWN District- SASARAM
(ROHTAS)

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Anwar Alam @ Anwar Ansari, son of Namuddin Ansari, Resident of
Mohalla – Mathuri Tola, P.S. Dehri (T), District Rohtas

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh (APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 12-07-2017 Learned counsel for the petitioner is permitted to make
correction in the prayer portion of this application stating sessions
trial number.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner seeks bail in connection with Sessions Trial
No. 254 of 2017, arising out of Dehri (T) P.S. Case No. 397 of
2015 registered for the offence punishable under Sections 341,
323, 307/34 of the Indian Penal Code and Section 27 of the Arms
Act.

The prosecution case, as lodged by the informant, is
that on 19.08.2015 while the informant was returning to his house
and reached near Jakhibigha bridge, petitioner and other co-



accused fired upon him. When the informant tried to flee away, accused Bageria assaulted him on his head by the butt of pistol, as a result of which he fell down and thereafter petitioner and two unknown also assaulted him by the rod and lathi causing injuries.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that although there were four persons, but only two injuries have been found on the informant, which cannot be attributable to the petitioner alone, as allegation is that four persons including petitioner assaulted the informant. He further submits that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence. He further submits that co-accused Islam @ Bageria, who was also alleged to have fired and given butt blow to the informant, has since been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 40102 of 2016 on 19.09.2016.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on



bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge, Rohtas at Sasaram in connection with Sessions Trial No. 254 of 2017, arising out of Dehri (T) P.S. Case No. 397 of 2015, subject to the condition that Petitioner will appear before the learned Court below as and when required and failure to appear before the learned Court below on three consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J.)

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