IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30339 of 2017

Arising Out of PS.Case No. -106 Year- 2014 Thana -ITADHI District- BUXAR

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1. Arman Ansari S/o Rabik Ansari Resident of Muhalla-New Bazar P.S.-Buxar Town Dist.-Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Rajani Ranjan
For the Opposite Party/s : Mr. Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 19-07-2017 Heard the parties.

This application is for grant of regular bail in connection with S.Tr. No.29 of 2015 arising out of Itarhi P.S.Case No.106 of 2014 , for the offences punishable under Section 395 of the Indian Penal Code.

The petitioner is not named in the F.I.R., however, it appears that he has been named on the basis of his confession.

Submission of the learned counsel for the petitioner is that there is no recovery, not put on T.I.P. and he is in custody since 22.10.2014 i.e. more than 2 ½ years.

Heard learned A.P.P. also, who has opposed the prayer for bail stating that the petitioner is accused in nine other cases also.

Having heard both sides and from perusal of the record, it appears that the petitioner is in custody for more than 2

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½ years, however, the learned trial court has pointed out that in this case on the administrative ground, the accused has been transferred to Aadarsh Central Jail, Patna, vide order dated 31.8.2016, as such he was not made available for trial so the trial is delayed.

In such view of the matter, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-VI, Buxar in connection with S.Tr. No.29 of 2015 arising out of Itarhi P.S.Case No.106 of 2014.

With following conditions :

(i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
(ii) The petitioner will not induce any witness or tamper with the evidence.
(iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, otherwise, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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