

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50402 of 2017

Arising Out of PS.Case No. -215 Year- 2016 Thana -SAHEBGANJ District- MUZAFFARPUR

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Akbar Ali Ansari, son of Haniph Ansari, R/o Village- Gariba, P.S.-
Kalayanpur, District- East Champaran at Motihari.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 13-11-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with
Sahebganj P.S.Case No. 215 of 2016 registered for the offences
punishable under Sections 394 and 302 of the Indian Penal Code.

Petitioner is not named in the FIR and later on his name
transpires during course of investigation.

Submission of learned counsel for the petitioner is that
only material has come against the petitioner is evidence of five
witnesses, who claim to be eye-witnesses but they are relatives of
Arinjay Kumar Singh, ex-Mukhiya of Gram Panchayat and there
is enmity between the petitioner and said Arinjay Kumar Singh
and due to which he has falsely been implicated in this case and he
is in custody for 10 months.

Heard learned APP and learned counsel for the
informant. They have opposed the prayer for bail stating that five
witnesses have seen the occurrence and they are said to be eye-



witness to the occurrence.

Having heard both sides and in view of facts and circumstances, as stated above, and also considering the period of custody, let the petitioner, above named, be released 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 Additional Sessions Judge-VI, Muzaffarpur, in Sessions Trial No. 493 of 2017, arising out of Sahebganj P.S.Case No. 215 of 2016, subject to the following conditions :

- (1) One of the bailors shall be a local person having sufficient immovable properties within the jurisdiction of the court concerned,
- (2) Petitioner shall co-operate in trial and appear on each and every date in court and on failure to appear on two consecutive dates without any genuine ground or without permission of court, his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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