

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3022 of 2017

Arising Out of PS.Case No. -206 Year- 2016 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Najir Ansari son of Mustkim Ansari, resident of Village- Jogauliya
Chaube Tola, P.S.- Madhuban, District- East Champaran.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Umesh Chandra Verma

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 07-11-2017 The appellant seeks regular bail in connection with

Madhuban P.S. Case No. 206 of 2016, registered for offences

punishable under Sections 147, 149, 323, 435, 436, 504 and 506

of the Indian Penal Code, and Section 3(1)(x) of SC/ST (POA)

Act.

Allegation against the petitioner and others is of setting

the house of informant on fire.

It has been submitted on behalf of the appellant that

impugned order itself shows that witnesses have supported the

occurrence but has stated that daughter in law has herself set the

hut on fire. It has further been submitted that a similar case has

also been lodged and when he was released in that case, he has

again been made accused in this case. Further he has been in



custody for two and half months.

Learned Special P.P. as well as learned counsel for the informant opposed the prayer for bail and submitted that appellant is repeatedly harassing the informant.

Having heard both sides, in view of the facts as stated above, this appeal is allowed and impugned order is set aside. Let the appellant above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge SC/ST (POA) Act, East Champaran, Motihari, in connection with Madhuban P.S. Case No. 206 of 2016, subject to the following conditions:-

- (i) One of the bailors of the appellant shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellant will not any manner shall harass the informant and shall not try to dispossess the informant from his land.
- (iii) The appellant shall cooperate 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 reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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