

Arising Out of PS.Case No. -97 Year- 2002 Thana -CHOUTARWA District-
WESTCHAMPARAN(BETTIAH)

.... Petitioner/s

The State of Bihar.

.... Opposite Party/s

For the Petitioner/s : Mr. Vijay Kr Singh No. 1, Advocate
For the Opposite Party/s : Mr. Sri Binod Kumar, APP

The prosecution case, as alleged by the police personnel is that on 19.10.2002 at about 11.45 hours the informant being S.I. along with police force, proceeded for raid towards Dusadhi Patti. At 12.14 he got secret information that in Mthiya Chandrapur Reta near Harha river some miscreants were present. Thereafter they reached at that place and found



one victim Isha Ansari, tractor driver, who disclosed that miscreants assaulted him and cut his ear. On search nothing has been found from him. It is further stated that informant along with police force after crossing the river searched the miscreants. In the meantime, they heard the sound of firing. For safety the police force also counter fired three rounds.

It has been submitted by learned counsel for the petitioner that the petitioner is not named in the FIR and has been falsely implicated in the aforesaid case only due to previous antecedent. He further submits that none of the persons have received any injury out of the said firing, as such, none of the sections are applicable against the petitioner. He further submits that the petitioner had himself surrendered on 20.2.2015 before the administration and was remanded to judicial custody on 27.2.2015 and that charge sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P., for the State, opposes the prayer for bail stating that as many as six cases are pending against the petitioner for serious offences.

Considering the facts and circumstances and the



materials available 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 2nd Additional Sessions Judge, Bagaha, Distt. West Champaran, in S. Tr. No. 46 of 2016 arising out of Chautarwa P.S. Case No. 97 of 2002, subject to the following conditions:-

- (i) One of the bailors will be the close relative of the petitioner.
- (ii) The petitioner will not indulge in similar or in any other offence.
- (iii) The petitioner will be well represented in the Court below.
- (iv) In case of absence for two consecutive dates or in violation of the terms of the bail, his bail bond will be liable to be cancelled by the Court concerned.

(Nilu Agrawal, J)

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