

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41132 of 2016

Arising Out of PS.Case No. -488 Year- 2016 Thana -ARARIA District- ARRARIA

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1. Juber Ansari @ Md. Juber Ansari @ Jubair Ansari S/o Ushman Ansari
Resident of Momin tola, Baigachhi, PS & District Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.41664 of 2016

Arising Out of PS.Case No. -488 Year- 2016 Thana -ARARIA District- ARRARIA

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1. Kamal Ansari @ Md. Kamal Ansari S/O Salim Ansari resident of Momin
Tola, Baigachhi, P.S. & District Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.41132 of 2016)

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Sri Parmeshwar Mehta

(In Cr.Misc. No.41664 of 2016)

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 17-05-2017 Heard the parties.

The petitioners seek regular bail in connection with Special
Case No.26 of 2016 arising out of Araria (Baigachhi) P.S.Case
No.488 of 2016, registered for offences punishable under Sections
272 & 273 of the Indian Penal Code.

Allegation as per F.I.R. is that the police raided at the shop
of the petitioners as well as one co-accused Bilal Ansari and from
the shop of Bilal Ansari, 86 pieces of Rex-Cof DX 29 and 57



pieces of Corex were recovered and the petitioner has no valid licence for selling these articles.

It is submitted on behalf of the petitioners that in both the cases nothing has been recovered from the shop of the petitioners. They have clean antecedent and remained in custody for more than nine months.

Heard learned A.P.P. also.

Having heard both sides and in view of the fact the petitioners have remained in custody for more than nine months, let the petitioners in both the cases (Juber Ansari @ Md. Juber Ansari @ Jubair Ansari and Kamal Ansari @ Md. Kamal Ansari), above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Sessions Judge-cum-Special Judge, Araria in connection with Special Case No.26 of 2016 arising out of Araria (Bairgachhi) P.S.Case No.488 of 2016.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their 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 their bail.



With the aforesaid observation, these applications are
allowed.

(Vinod Kumar Sinha, J)

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