

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19121 of 2017

Arising Out of PS.Case No. -227 Year- 2015 Thana -MAUZAHDIPUR District- BHAGALPUR

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1. Ahtesham Ansari @ Md. Laddan @ Ahtesham Ansati, S/o Md. Sajjo @
Md. Sajim Ansari, Resident of Markajee Tola, Hussainabad, P.S.-
Mojahidpur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Dr. Indivar Kumari

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

5 13-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in custody since 23.11.2016 in
connection with Mojahidpur (Babarganj) P.S. Case No. 227/2015
for offences punishable under Sections 341, 307, 326, 504, 506 &
34 of the Indian Penal Code and Sections 3, 4 and 5 of the
Explosive Substances Act.

The prosecution case, as lodged by the informant, is
that while he was standing near his house and talking to his
friends, the petitioner along with two other accused came and
petitioner threw something, which he tried to catch, but it
exploded. It is further alleged that the cause of enmity is that one



year back in a fair there was some dispute between the informant and the petitioner and other accused. It is also alleged in the First Information Report that he went for treatment at Paras Hospital, Patna, where during treatment his hand was amputated.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that the First Information Report has been lodged after inordinate delay and the cause of enmity was for a trivial issue of a year back, which is not reliable. It is stated that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence and that the police has found no sign of explosive substance at the place of occurrence.

Learned APP for the State submits that the medical report specifies that due to bomb blast the hand of the informant had to be amputated and that the injury being grievous, opposes the prayer for bail.

Be that as it may, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Mojahidpur (Babarganj) P.S. Case No. 227/2015, subject to the condition that one of the bailors would be a close



relative of the petitioner, who would have sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating his relationship with the petitioner and that the petitioner will appear before the learned court below on each and every date during trial and failure to appear on three consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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