

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39112 of 2017

Arising Out of PS.Case No. -19 Year- 2017 Thana -WARISNAGAR District- SAMASTIPUR

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Md. Gulab @ Gulab Ansari @ Md. Gulab Ansari Son of Idirish @ Fazal
Ansari, Resident of Village-Noorganj, P.S. Warisnagar, District-Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Advocate

For the Opposite Party/s : Mr. Sri Amrendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

2 19-08-2017

Heard learned counsel for the petitioner and learned

APP for the State.

This is a case registered under Sections 147, 149, 341, 323, 283,431,353,385,120B,427,504, 506 of the Indian Penal Code and 5 of the Essential Service Maintenance Act.

F.I.R., has been lodged by the Block Development Officer making allegations that a mob had obstructed the traffic and was protesting against hit and run case along with dead body.

Counsel for the petitioner submits that general and omnibus allegations have been made in the FIR and he has been arrested on the same day on the basis of his false implication due to dirty village politics. He further submits that at the time of



occurrence he was not present there. Prior to the instant case, the petitioner has no criminal history and that he is in custody since 01.07.2017.

In the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Samastipur in Warisnagar (Mathurapur) P.S. Case No. 19 of 2017.

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner.
- (ii) That the affidavit shall clearly state that the petitioner is not an accused in any other case and if he is, he shall not be released on bail.
- (iii) That the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter, the court below will be at liberty to initiate the proceeding for cancellation of bail



on the ground of misuse.

- (iv) That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.
- (v) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

Prakash/-

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