

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50908 of 2017

Arising Out of PS.Case No. -342 Year- 2017 Thana -BHABHUA District- BHABHUA (KAIMUR)

=====

Shamim Ansari @ Samim Ansari, Son of Late Bagedu Ansari, R/o Village
Khanaw, P.S.- Bhabua, District- Kaimur at Bhabua.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Chaubey Jawahar, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 10-11-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Bhabua P.S. Case No. 342 of 2017 registered under
Sections 307/34 of the Indian Penal Code and 27 of the Arms
Act.

It is submitted by the learned counsel for the
petitioner that from perusal of first information report itself, it
would be evident that the petitioner was neither armed with any
weapon nor he is alleged to have caused any overt act. The only
allegation against him is that he was exhorting others. It is stated



that the entire allegation of opening fire has been given first and in the concluding part of the first information report, it has been stated that the petitioner and one Sadam Ansari were exhorting others to cause injury.

Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioner.

Considering the fact that there is no allegation of any overt act against the petitioner and the petitioner is reported to be a man of clean antecedent, in the event of arrest or surrender in the court below within six weeks from today, he is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Bhabua P.S. Case No. 342 of 2017 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

Sanjeet/-

U		T	
---	--	---	--

