

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9163 of 2017

Arising Out of PS.Case No. -104 Year- 2013 Thana -BANKA District- BANKA

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Sahadat Ansari Son of Late Huro Miyan @ Huro Ansari, Resident of
Village- Lalmatiya, P.S.- + District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. Shyam Bihari Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 28-02-2017 Heard the parties.

This application has been filed in connection with Banka
P.S.Case No.104 of 2013 for the offence under Sections 364 and
201/34 of the Indian Penal Code.

It is submitted on behalf of the petitioner that except
suspicion, there is nothing against the petitioner and he is in
custody since 16.12.2016 as well as the other co-accused, Rahman
Miya and Makbook Ansari have been granted bail, vide order
dated 14.03.2014 passed in Cr. Misc. No.53312 of 2013 and he
was earlier also on P.R. bond but later on, he was taken into
custody.

Heard learned A.P.P. also.

Having heard both sides. In view of the fact that the case of



the petitioner is similar to the other co-accused, who have been granted bail, and except suspicion, there is nothing against the petitioner, let the petitioner, 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 C.J.M., Banka in connection with Banka P.S.Case No.104 of 2013.

With following conditions :

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

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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