

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38580 of 2017

Arising Out of PS.Case No. -25 Year- 2017 Thana -SITAMARHI District- SITAMARHI

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Md. Anish Ansari @ Anish Ansari, son of Taslim Ansari, resident of village
Narga, P.S. Bela, District Sitamarhi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate

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

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 21-08-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
17.02.2017 in connection with Sitamarhi P.S. Case No. 25 of 2017
registered for the offence punishable under Sections 302/34 and
120(B) of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, as lodged by the informant, is
that while his father after taking tea in a tea shop was returning,
some of the accused persons named in the First Information
Report surrounded him and Md. Laddu and Mazhar opened
indiscriminate firing on him, resultantly he succumbed to the
injuries while being taken to the hospital. It is alleged that the
occurrence took place due to property dispute and political rivalry.



It has been submitted by the learned counsel for the petitioner that he is innocent, not named in the First Information Report and nor he is co-villager. In fact, name of the petitioner has come during investigation, but no overt act, muchless of firing has been alleged against the petitioner.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi P.S. Case No. 25 of 2017, subject to the condition that both the bailors would be a close relative of the petitioner.

(Nilu Agrawal, J.)

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