

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28574 of 2018

Arising Out of PS.Case No. -784 Year- 2017 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Ijarail Ansari Son of late Roj Mohammad Ansari
2. Irsad Ansari Son of Mainuddin Ansari
3. Kasim Ansari Son of Rasul Ansari All Residents of Village- Bamnauliya,
P.S. Turkaulia, Distt- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abshiek Kumar @ Sonu

For the Opposite Party/s : Mr. Sir Pramod Kumar Pandey

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-05-2018 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners seek bail in connection with Turkaulia P.S.
Case No. 784 of 2017 for offences punishable under Sections 25
(1-b)a, 26/35 of the Arms Act.

The prosecution case, as lodged by the police
personnel, is that while they had gone to investigate Turkauliya
P.S. Case No. 783 of 2017 at the door of co-accused Lal Babu
Ansari and others, they apprehended Anjuum Arra and from her
waist 25 live cartridges and one country made katta was
recovered. She disclosed the name of the petitioners and other co-



accused that they had come to her father's house with arms and ammunitions to settle some disputes.

It has been submitted by the learned counsel for the petitioners that they are innocent and have not been apprehended by the police. Nothing has been recovered from their conscious possession. He submits that just because they have a criminal antecedent, they have been made accused in the present case. He submits that two of the co-accused namely, Aftab Ansari and Chunnu Ansari named have since been granted privilege of bail by co-ordinate Bench of this Court vide order dated 04.05.2018 passed in Cri. Misc. No. 27635 of 2018. Petitioners are languishing in judicial custody since 16.03.2018.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioners do not have fair and clean antecedent and three more cases are pending against them.

Considering the facts and circumstances and the materials on record, let petitioners, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari, in connection with Turkauliya P.S. Case No. 784 of 2017, subject to



the conditions that:

- (1) One of the bailors would be a close relative of the petitioners having sufficient immovable property, who will file an affidavit stating his relationship with the petitioners.

(Nilu Agrawal, J)

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