

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51951 of 2017

Arising Out of PS. Case No.-25 Year-2014 Thana- KUDHNI District- Bhabhua (Kaimur)

Bechan Ansari S/o Rahman Ansari, Resident of Village-Baruna, P.S.-
Kuchhila, District-Kaimur (Bhabua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. PRAMOD KUMAR PANDEY

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-03-2018 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner seeks bail in a case registered for the offences under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The earlier bail applications of the petitioner were rejected vide Annexure-1 series to the present application taking into account that petitioner is one of the assailants.

On behalf of the petitioner, it has been submitted that the petitioner is in custody since 18.06.2015. The petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. From perusal of the F.I.R., it is evident that Mubarak Ansari and Badshah Ansari are the assailants causing fatal injury upon the deceased. The firing made by the petitioner did not hit the deceased nor it caused injury to anyone. Though the informant, in course of investigation, tried to develop the prosecution



case by making a general and omnibus allegation in respect to assault which is evident from paragraph 41 of the case diary.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. Though there is no allegation of causing injury upon the deceased by the petitioner, the petitioner fired in course of occurrence.

On behalf of the informant, it is submitted that the petitioner is named in the F.I.R. and he is alleged to have fired in course of occurrence.

Considering the aforesaid facts and circumstances and the period of custody of the petitioner, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI, Kaimur at Bhabhua in connection with S. Tr. No. 283/15/392/15 (arising out of Kudhani P.S. Case No. 25/2014). The petitioner is further directed to be present on each and every date during the trial. If the petitioner fails to appear on two consecutive dates, the bail bond of the petitioner shall be cancelled by the Trial Court.

(Sudhir Singh, J)

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