

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.58482 of 2018

Arising Out of PS. Case No.-53 Year-2014 Thana- BHAIRAVSHTHAN District- Madhubani

MD. HABIB @ BANTHA @ MD. HABIB ANSARI @ BANGHA S/o Asgar
Ansari, R/o Vill.- Mauna, Minapur, P.S.- Baruraj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Upendra Kumar Chaubey

For the Opposite Party/s : Mr. Sri Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 30-11-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in
connection with Bhairavsthan P.S. Case No. 53 of 2014
registered for the offence punishable under Section 394 of the
Indian Penal Code.

Informant is the driver of truck, who in his written
complaint has stated that when he was coming with truck loaded
with garlic, 3-4 unknown miscreants took away the loaded truck
and snatched Rs. 20,000/- on the strength of arms and also
intoxicated him and when he regain consciousness, he found his
hands are tied and thereafter went to police station to report the



occurrence.

It has been submitted on behalf of the petitioner that nothing has been recovered from his possession. He had not been put on TIP and his name has surfaced in this case only on the basis of confessional statement made by Deepak Kumar Singh who has already been granted bail and all other similarly placed co-accused have been granted regular bail by this Hon'ble Court as contained in Annexure-2 series. Petitioner is in custody since 17.03.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Jhanjharpur, Madhubani, in connection with Bhairavsthan P.S. Case No. 53 of 2014 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for
cancellation of bail of the petitioner.

(S. Kumar, J)

veena/-

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

