

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56409 of 2017

Arising Out of PS.Case No. -240 Year- 2014 Thana -DARBHANGA SADAR District-
DARBHANGA

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Md. Habib Ansari, Son of Asgar Ansari, Resident of Village- Maona
Minapur, P.S.- Baruraj, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Upendra Kumar Chaubey

For the Opposite Party/s : Mr. Sri Madhuranand Jha

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 09-01-2018

Heard the counsels for the parties.

The petitioner seeks bail in connection with
Sadar P.S. Case No. 240 of 2014 dated 07.07.2014 instituted for
the offences under Sections 395, 397 of the Indian Penal Code.

A truck loaded with eatables was intercepted and
looted away by four miscreants who were riding on a Bolero
vehicle. Two mobile telephones and rupees sixteen thousands
were also taken away by the miscreants on gun point.

The petitioner is not named in the F.I.R and his
name has transpired in the statement of a co-accused viz. Md.
Magfur Ahmad @ Ajam, whose statement has been recorded in
para 65 of the case diary. It has further been submitted on behalf
of the petitioner that petitioner earlier was in custody in



connection with Baruraj P.S. Case No. 118 of 2014 and from that case, production warrant was issued on 17.09.2014 but the petitioner was produced after two years and seven months of the issuance of the production warrant. In the present case, the petitioner is in custody since 13.05.2017. It has also been submitted that one of the co-accused persons viz. Md. Nafil Ansari @ Md. Nafis Ansari has been granted bail by a Bench of this Court on 14.12.2016 passed in Cr. Misc. No. 53227 of 2016.

Regard being had to the period of custody of the petitioner and that another co-accused with similar accusation has been granted bail, this Court is inclined to grant bail to the petitioner also.

The petitioner, above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Sadar P.S. Case No. 240 of 2014.

(Ashutosh Kumar, J)

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