

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2223 of 2018

Arising Out of PS.Case No. -991 Year- 2017 Thana -SASARAM MUFFSIL District- SASARAM
(ROHTAS)

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Nesar Ahmad @ Ansari, son of Late Mahhgu Miya, resident of Karansari
Ward No. 15, P.S. Sasaram (T), District - Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Nandan Sahay, Advocate

For the Opposite Party: Mr. Chaubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 16-01-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 25.08.2017 in connection with Sasaram (Mufassil) P.S. Case No. 991 of 2017 for the offences alleged under Sections 147, 148, 149, 341, 323, 307, 384, 504 and 506 of the of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated which is evident from the very fact that the petitioner's entire family including his wife and son as well as several other members and some unknown persons have been made accused. The first information report has been instituted after delay of about ten days on 17.07.2017 for the alleged occurrence of 07.07.2017 at the instance of the so-called victim himself. There is counter case filed by the petitioner's wife in Complaint Case No. 699 of 2017 in which the informant of the case has been made accused. It is submitted that there is a land dispute between the parties who are the co-villagers. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above



named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram (Mufassil) P.S. Case No. 991 of 2017, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

B.T/Chandran

(Vikash Jain, J)

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