

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44487 of 2018

Arising Out of PS. Case No.-147 Year-2017 Thana- KATORIA District- Banka

Md. Nijamul Ansari @ Nijamul Ansari, Son of Mojim Ansari, Resident of
Village- Chandan, Police Station- Chandan, District- Banka

... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr. Ajay Mukherjee, Adv.

For the Opposite Party : Mr. Asharaf Ansari, APP 86

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

2 06-08-2018

Heard learned counsel for the petitioner and the State.

The petitioner is languishing in jail since 20.03.2018 in connection with S. Tr. No. 107 of 2018 arising out of Katoria P.S. Case No. 147 of 2017 registered under Section 395 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner's name was not there in the first information report, but, on the basis of suspicion one Manoj Ram and in the confessional statement made before the police by the said Manoj Ram the petitioner's name has figured as a consequence thereof the petitioner is facing prosecution. It is, further, submitted that the petitioner has not been placed in the test identification parade and there is no recovery from his possession. It is submitted that co-accused, Tinku Das has since been extended the privilege of regular bail in Cr. Misc. No. 13496 of 2018 on 12.04.2018.

Considering the aforesaid facts and circumstances let the petitioner, named above, be released on bail on furnishing



bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection S. Tr. No. 107 of 2018 arising out of Katoria P.S. Case No. 147 of 2017 to the satisfaction of the Additional Sessions Judge, II, Banka, on the following conditions.

(1) One of the bailors will be his own blood relative, preferably father, mother, brother, sister of the petitioner.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) 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 reasons, his bail bond shall be liable to be cancelled by the learned Court concerned.

(4) The petitioner shall co-operate 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.

(Anjana Mishra, J)

Shamshad/-

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

