

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8535 of 2019

Arising Out of PS. Case No.-209 Year-2017 Thana- RAXAUL District- East Champaran

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AKBAR ANSARI Son of Raul Ansari Resident of Village- Jitpur Kharkatola,
P.S.- Semra, District- Bara (Nepal).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar @ Sonu Babu
For the Opposite Party/s : Mr. Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 27-02-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Raxaul P.S. Case No. 209 of 2017 registered for
the offence punishable under Sections 25(1-b), A, 26 of Arms
Act.

Petitioner had earlier moved this Court for regular
bail vide Criminal Miscellaneous No. 26214 of 2018 which was
rejected on 03.05.2018.

Allegation is recovery of one pistol with nine live
cartridges from the possession of petitioner and he was
apprehended in the Indian territory and is resident of Nepal.

It has been submitted on behalf of the petitioner that



he is innocent and has been falsely implicated in this case due to high handedness of police. Nothing has been recovered from the conscious possession of the petitioner. Petitioner has no criminal antecedent and he is in custody since 26.06.2017.

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 Sub-Divisional Judicial Magistrate, Raxaul, East Champaran at Motihari, in connection with Raxaul P.S. Case No. 209 of 2017 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)

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