

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78442 of 2018

Arising Out of PS. Case No.-97 Year-2018 Thana- JHAJHA RAIL P.S. District- Lakhisarai

Samim Ansari, son of Ainul Ansari @ Md Ainul Ansari, Resident of Asuda,
P.S.- Chandan, At present P.S.- Ananadpur (O.P.) Distict- Banka.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Sri Sakir Ahmad (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 29-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with G.R.P. Jhajha, Rail P.S. Case No. 97 of 2018
registered for the offences punishable under Sections 395 of
I.P.C. of the Indian Penal Code.

The allegation is regarding unknown accused
persons having looted money and mobile phones from the A.C
compartment of the Patliputra Express train.

It has been submitted on behalf of the petitioner
that he is innocent and has committed no offence. He has been
falsely implicated in this case. Petitioner is not named in the
F.I.R. The name of the petitioner has surfaced on the basis of
confessional statement of co-accused Sattar Mian. Petitioner has



no criminal antecedent and is in custody since 02.08.2018. Similarly placed co-accused has been granted bail by co-ordinate bench of this court passed in Cr. Misc. No. 77074 of 2018 vide order dated 11.01.2018.

Considering the aforesaid fact 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 A.C.J.M, Railway Keul, in connection with GRP Jhajha, Rail P.S. Case No. 97 of 2018, subject to conditions:

- (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 shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (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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