

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33024 of 2019

Arising Out of PS. Case No.-517 Year-2018 Thana- GARKHA District- Saran

Salman Ansari, Son of Aslam Ansari, Resident of Motirajpur, P.S.- Garkha,
District - Saran (Chapra).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sachida Nand Rai, Advocate
For the Opposite Party : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 20-05-2019 Heard learned counsel for the petitioner and

learned counsel for the State.

The petitioner seeks bail in connection with Sessions Trial No.160 of 2019 arising out of Garkha P.S. Case No.517 of 2018 registered under Sections 399, 402, 414 of the Indian Penal Code and Sections 25(1-B)(a), 26 and 35 of the Arms Act.

It is contended by the learned counsel for the petitioner that none of the ingredients of the offences punishable under Sections 399 and 402 of the Indian Penal Code are attracted against the petitioner. The implication of the petitioner in the case is only out of suspicion. Though, there was no recovery from the conscious possession of the petitioner, the allegation has been made that a country-made loaded pistol was



recovered from possession of the petitioner while he was sitting together with some other co-accused persons. It is further contended that the petitioner has got clean antecedent. He has got roots in the society and is not likely to abscond or tamper with the evidence.

Learned counsel for the State has opposed the prayer for grant of bail to the petitioner.

Considering the nature of the offence and the period undergone by the petitioner in custody, he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand only) with two sureties of the like amount each to the satisfaction of learned A.D.J.-III, Saran at Chapra in connection with Sessions Trial No.160 of 2019 arising out of Garkha P.S. Case No.517 of 2018 subject to the following conditions:-

- (a) that the petitioner shall attend court in accordance with the conditions of the bond executed;
- (b) that the petitioner shall not commit an offence similar to the offence of the present case; and
- (c) that the petitioner shall not directly or



indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Ashwani Kumar Singh, J.)

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