

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37772 of 2019

Arising Out of PS. Case No.-44 Year-2010 Thana- SUGAULI RAIL P.S. District- West
Champaran

MUMTAZ ANSARI, aged about 45 years, Male, S/o Latif Ansari, R/o village- Nakchhed Tola, (House of Taityab), P.S.- Nagar, District- Motihari at present R/o village- Gagiyadih @ Islampur, P.S.- Lakhaura, District- Motihari, East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Rajesh Kumar, Advocate.
For the Opposite Party : Mr.Mohammed Arif, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-06-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since 27.08.2018 in a case for the offence registered under Sections 379 and 411 of the IPC.

The prosecution story, in brief, is that on 03.09.2010 at about 9.45 P.M. the informant was taking Railway Ticket from Counter No. 2 for Howrah on Motihari Railway Station. In the meantime, this petitioner took Rs. 500/- from the pocket of the informant.

It has been submitted by learned counsel for the



petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is a case of misuse of bail. Earlier the petitioner was granted bail by the learned court below itself. The petitioner, being labourer, for his livelihood, went outside the State of Bihar. Hence, *pairvi* could not be made properly on his behalf. He had no knowledge that his bail bond had been cancelled. He is in custody since 27.08.2018. He has remained in custody for about ten months.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. Rail, Bettiah, West Champaran, in connection with Trial No. 1220 of 2018, arising out of Rail Sugauli (Motihari) P.S. Case No. 44 of 2010.

Further the petitioner is directed to appear in the court below on each and every date.



If the petitioner fails to appear on two consecutive dates in the learned court below, the learned court below will be at liberty to cancel the bail bond of the petitioner.

U.K./-

(Sudhir Singh, J)

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