

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49196 of 2019

Arising Out of PS. Case No.-278 Year-2019 Thana- MOHANIYA District- Kaimur (Bhabua)

Parvej Ansari @ Seru Ansari, Son of Md. Imteyaz Ansari, Resident of Village
- Chainpur, P.S.- Chainpur, Dist.- Kaimur (Bhabua)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. K.N. Choubey, Sr. Advocate Mr.Satyam Shivam Sundaram, Advocate
For the Opposite Party/s :		Mr.Umesh Lal Verma, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 25-09-2019 Heard Mr. K.N. Choubey, learned Senior Counsel

 appearing on behalf of the petitioner and the learned counsel

 appearing on behalf of the State.

The petitioner is in custody since 18.06.2019 in connection with Mohania P.S. Case No.278 of 2019 registered for the offence under Sections 401, 419, 420, 414, 467, 468, 471, 353, 325, 120B of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

Learned Senior Counsel for the petitioner submits that the present petitioner was taken into custody on the basis of some suspicion and that no firearm was recovered from the possession of the present petitioner and nothing incriminating has been indicated to show that the petitioner was indeed part



of the gang which was participating in cheating people on the road on the pretext of being D.T.O. It is further submitted that a plain perusal of the F.I.R. reveals that except two mobiles, no such recovery was made from the possession of the petitioner. Learned counsel for the petitioner further submits that in view of the fact that the investigation has already been completed and the petitioner is not having any criminal antecedents and further that other similarly situated co-accused Wasim Ansari, who has been named in the F.I.R., has since been extended the privilege of bail in Cr.Misc. No.53686 of 2019, vide order dated 30.08.2019, the petitioner may also be extended the same benefit.

Having taken into consideration the aforementioned submissions, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at Bhabua, in connection with Mohania P.S. Case No.278 of 2019, subject to the following conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother, son, brother, sister and/or his wife.



(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 his failure on two consecutive dates without sufficient reasons, his bail bonds 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)

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