

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55381 of 2019**

Arising Out of PS. Case No.-73 Year-2019 Thana- JHANJHARPUR District-
Madhubani

=====

MD. USMAN ANSARI @ USMAN ANSARI @ MD. USMAN Son of Late
Rahman Ansari Resident of Village- Chanauragoth, Ward No. 9, P.S.-
Jhanjharpur, District- Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr. Arjun Kumar, Advocate.

For the Opposite Party: Mr. Parmeshwar Mehta, APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 02-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 420, 409, 406/34 of the Indian Penal Code and Section 7 of the Essential Commodities Act registered in connection with Jhanjharpur P.S. Case No. 73 of 2019.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion as the petitioner happens to be a PDS dealer. His name has transpired only on confessional statement of the driver of the tempo, except which there is no objective material to connect the petitioner with the alleged occurrence. The tempo driver was not handed over to the police rather to one Ashok Mandal by the villagers. The tempo driver and the said Ashok Mandal have been granted anticipatory bail by the learned Court below in A.B.P Nos. 110 of 19cc and 141 of 19cc respectively. The petitioner's case stands on better footing than co-accused Ashok Mandal. The petitioner claims clean



antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Jhanjharpur, District- Madhubani in connection with Jhanjharpur P.S. Case No. 73 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate 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.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Ibrar//-

U		T	
---	--	---	--

