

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80042 of 2018

Arising Out of PS. Case No.-107 Year-2017 Thana- PANJWARA District- Banka

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Furkan Ansari, S/o Ayub Ansari, R/o Village-Taljhari, P.S. Devdand, Distt. Godda (Jharkhand)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar, Adv.

For the Opposite Party/s : Mr.Sri Braj Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 18-01-2019 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Panjwara P.S. Case No. 107 of 2017 registered under Section 391 of the Indian Penal Code.

While informant was proceeding by Bolero to purchase medicine carrying Rs. 2,10,000/- on the way, driver of the Bolero, namely, Iqbal Ansari parked the vehicle on the pretext of urination. In the mean time, two motorcycle borne criminals arrived there and looted cash from the informant on the point of fire-arm.

It is submitted by the learned counsel for the petitioner that petitioner is quite innocent and he has committed



no offence. He has no concern with the aforesaid occurrence. He has been falsely implicated in this case. No incriminating article has been recovered from his conscious physical possession. He was not put on TIP. There is nothing in the record indicating the complicity of the petitioner in the occurrence barring confessional statement of co-accused Md. Iqbal and Md. Ashfaque. Aforesaid confessional statement of co-accused is not admissible in evidence against the petitioner. Though one more criminal case has been lodged against the petitioner but he is on bail in the said case. He has been languishing in custody since 3.10.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Panjwara P.S. Case No. 107 of 2017.

(Prakash Chandra Jaiswal, J)

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