

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14910 of 2020

Arising Out of PS. Case No.-475 Year-2019 Thana- CHAPRA MUFFASIL District- Saran

Asif Ansari @ Ashik Ansari @ Ashif Ansari, aged about 23 years, Gender – Male, Son of Sahid Ansari @ Shahid Miyan @ Shahid Husen resident of Sandha, Khemaji Tola, P.S. Mufassil, District Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-07-2020 Heard Mr. Dewendra Narayan Singh , learned counsel
for the petitioner and Mr. Akshay Lal Pandit, learned counsel for
the State through video conferencing.

Petitioner apprehends arrest in connection with
Chapra (Saran) Mufassil P.S. Case No. 475 of 2019 registered
for the offence punishable under Section 382 of the I.P.C.

The allegation against the petitioner as per the First
Information Report is that in the night of 21.11.2019 the
informant was going towards bus stand for boarding bus in the
meanwhile, he was intercepted at about 3.50 A.M. by four
persons and they snatched informant's mobile, shoes and Rs.
150/- cash and fled away. In the meanwhile, Police patrolling
party arrived there and upon chase one person was caught by



the Police along with Scooty from whose possession informant's mobile phone was recovered along with illicit liquor recovered from the dicky of the Scooty. The name of the petitioner has transpired on the basis of confessional statement made by the arrested co- accused Chandan Kumar.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has got no criminal antecedent. Learned counsel further submits that for the same transaction two cases were lodged inasmuch as Chapra (Saran) Mufassil P.S. Case No. 476 of 2019 was also lodged for recovery of illicit wine in which the petitioner was also made an accused and has been granted anticipatory bail by this court. Learned counsel further submits that no recovery has been made from the possession of the petitioner and the informant's mobile phone has been recovered from the arrested accused person. Learned counsel further submits that Scooty in question belongs to Chandan Kumar who was caught by the Police along with the Scooty.

Having regard to the submissions made by the parties and taking into consideration the fact that petitioner has got no criminal antecedent and his name has been disclosed by the arrested co-accused person, I am inclined to grant anticipatory



bail to the petitioner.

Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra / concerned court in connection with Chapra (Saran) Mufassil P.S. Case No. 475 of 2019, subject to the condition as laid down under Section 438 (2) of the Code Of Criminal Procedure.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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