

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27549 of 2020

Arising Out of PS. Case No.-16 Year-2020 Thana- RAMGARHWA District- East Champaran

ASLAM ANSARI Son of Sarfullah Ansari @ Sarfulah Miyan Resident of
Village - Budhwaha, Ward No. - 6, P.S.- Chhauradano, District - East
Champaran at Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjana, Adv.

For the Opposite Party/s : Mr.S.M. Rahman, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 05-01-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Vide order dated 10.12.2020, an enquiry report was
called for which is received and marked at Flag-'Q'.

From perusal of the report, it appears that the learned
District & Sessions Judge, East Champaran at Motihari has
called for a detail report from the officer concerned and
mentioning each and every aspect of the matter in the last but
first paragraph of his report he has stated that as under:

*“.....Considering the aforesaid facts and
circumstances, in my view, Sri Sanjay Kumar-VI,
learned Judicial Magistrate 1st Class, Raxaul at
Motihari, knowing the fact that earlier the prayer
for bail of the accused Aslam Ansari has already
been rejected by the court of learned S.D.J.M.,*



Raxaul as well as by the court of learned 8th Additional Sessions Judge, East Champaran, Motihari, he has reconsidered the prayer for bail and granted bail to the accused Aslam Ansari, which appears to be improper, as the prayer for bail of the aforesaid accused has already been rejected by the superior court i.e. Court of Session.....”

After going through the report of the learned District & Sessions Judge, in my view, nothing remains to be said.

Accordingly, the learned court below is directed to take appropriate steps to cancel the bail bond of the petitioner.

Registry is directed to place this matter before the Standing Committee for needful along with the report of the learned District & Sessions Judge, East Champaran at Motihari.

(Anjani Kumar Sharan, J)

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