

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27796 of 2020

Arising Out of PS. Case No.-331 Year-2017 Thana- JOGAPATTI District- West Champaran

TABARAKH ANSARI S/o Manib Ansari @ Monib Ansari Resident of
Village-Semari Bhawanipur, P.S.-Jogapatti (Nawalpur), District-West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-11-2020 Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor representing the State, through

Video Conferencing.

The petitioner seeks regular bail in connection with
Sessions Trial No. 107 of 2018, arising out of Jogapatti
(Nawalpur) Police Station Case No. 331 of 2017, registered for
the offences punishable under Sections 147/148/149/341/323/
324/307/302/447/448 of the Indian Penal Code.

This is the fourth application filed on behalf of the
petitioner for grant of regular bail. Earlier, the prayer for regular
bail of the petitioner was allowed by this Court, vide order,
dated 11.01.2018, passed in Criminal Misc. No. 1422 of 2018,
but on an application filed on behalf of the informant for
cancellation of bail, on the ground that the petitioner had



concealed the fact regarding his criminal antecedents, bearing Criminal Misc. No. 68284 of 2018, this Court cancelled the bail granted to the petitioner vide order, dated 17.04.2019 and thereafter the petitioner surrendered on 18.07.2019. The petitioner, thereafter, filed Criminal Misc. No. 56808 of 2019 for grant of regular bail, which came to be dismissed vide order, dated 11.09.2019. The petitioner once again renewed his prayer for bail by filing Criminal Misc. No. 80980 of 2019, which was also dismissed vide order, dated 13.02.2020.

Learned Counsel for the petitioner submits that all the accused persons have been granted bail by this Court and the petitioner was on bail in all the cases pending against him. He further submits that due to inadvertence and communication gap, the criminal antecedents of the petitioner were not mentioned in Criminal Misc. No. 1422 of 2018. He further submits that he has disclosed all the criminal antecedents of the petitioner in the present application.

After having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that all other co-accused persons have been granted bail by this Court and the petitioner is in custody since 18.07.2019, I am inclined to grant bail to the petitioner.



This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge, West Champaran, at Bettiah, in connection with Sessions Trial No. 107 of 2018, arising out of Jogapatti (Nawalpur) Police Station Case No. 331 of 2017, subject to the conditions:

(i) One of the bailors shall be his own blood relative, preferably, mother, brother, sister and/or his wife.

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

(iii) The petitioner shall remain physically present before the Court below on each and every date fixed during trial and in the event of his absence, his bail bonds shall be liable to be cancelled by the learned Court below itself.

It is further made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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