

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16487 of 2021**

Arising Out of PS. Case No.-587 Year-2020 Thana- FORBESGANJ District- Araria

Md Mukhtar Ansari @ Murtaja @ Murtuja Ansari, aged 30 years, male, Son of Late Md. Ajad Ansari Resident of Village-Rampur South, P.S.- Forbesganj, Distt.-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ramesh Kumar Singh, Adv.

For the Opposite Party/s : Ms. Gulnar Begum, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      21-10-2021      Heard learned counsel for the petitioner and learned Additional Public Prosecutor (for short 'APP') for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

The petitioner seeks bail in Forbesganj PS Case No. 587 of 2020, instituted for the offence under Section 394 of the Indian Penal Code.

Two separate allegations have been made out of the same occurrence; one in the instant case and the other in Jogbani PS Case No. 176 of 2020 as per submissions of the petitioner's counsel and in both the cases the petitioner has been made



accused.

Learned counsel for the petitioner submits that the informant alleged that while he was on way riding his bicycle, two unknown miscreants intercepted him and snatched his VIVO mobile phone and cash of Rs. 5,000/- on the point of knife and assaulted him.

The submission is that the instant First Information Report (for brevity 'FIR') is against unknown persons. Merely on suspicion, he has been remanded in this case also. Recovery of Rs. 3,000/- and mobile phone is from *bona fide* possession of the petitioner as the same belongs to him. He is in custody since 22.07.2020. The other co-accused, similarly situated, namely, Md. Rustam @ Bantha has been allowed bail in Cr. Misc. No. 8864 of 2021.

The learned APP representing the State has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two



sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria, in connection with Forbesganj P. S. Case No. 587 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

**(Madhuresh Prasad, J)**

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