

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)  
CRIMINAL MISCELLANEOUS No.17868 of 2021**

Arising Out of PS. Case No.-82 Year-2020 Thana- PHENHARA District- East Champaran

---

WAHID ANSARI @ GUDDU Son of Kaishar Ansari @ Kaisar Ali Resident  
of Village -Kuawa Paschimwari, P.S.- Chakia, District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

---

**Appearance :**

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha 2, APP

---

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD  
ORAL ORDER**

2      02-07-2021      Learned counsel for the petitioner undertakes to  
remove all the defects pointed out by the Stamp Reporter within  
four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Ms. Pushpa  
Sinha 2, learned APP for the State.

The petitioner in the present case is seeking regular bail in  
connection with Fenhara P.S. Case No. 82 of 2020 registered for the  
offences punishable under Sections 394, 414 of the Indian Penal  
Code.

Learned counsel for the petitioner submits that as per the  
prosecution story it is alleged that at about 8.15 p.m. on 05.09.2020  
while the informant was on his way to home on motorcycle then four  
persons stopped him and took the key of his motorcycle and looted a  
gold chain and ten thousand rupees. Thereafter, they ran away but



some villagers caught them.

Learned counsel submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner is in custody since 7.9.2020 having no criminal antecedent.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein this Court has noticed from the submission of learned counsel for the petitioner that as per the prosecution story this petitioner and others had looted away a gold chain and some amount from the informant on the point of pistol but they were chased and were arrested, from their possession neither pistol nor the money has been recovered, the petitioner has remained in jail in connection with the present case since 7.9.2020, investigation against him is complete but the trial is not likely to be concluded in near future, he has otherwise no criminal antecedent, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of Shri. Bhola Singh, learned Judicial Magistrate, East Champaran at Motihari in connection with Fenhara P.S. Case No. 82 of 2020, subject to the conditions as laid down under Section 437(3) Cr. P.C. as under:

(a) That such person shall attend in accordance with the conditions of the bond executed under this Chapter,



(b) That such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which is suspected, and

(c) that such persons shall not directly or indirectly make and inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

**(Rajeev Ranjan Prasad, J)**

SUSHMA2/Sonali/

-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

