

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24756 of 2021**

Arising Out of PS. Case No.-190 Year-2020 Thana- RAJPUR District- Rohtas

MD. NOOR MOHAMMED ANSARI @ MOONUR MOHAMMAD
ANSARI Son of Late Sardar Miyan @ Sardar Ansari Resident of Village -
Sheopur, P.S.- Akorhigola, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra
For the Opposite Party/s : Mr.A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 20-07-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of bail in a case
registered for the offence punishable under sections 409 and
120B of the Indian Penal Code.

As per prosecution case, on 23.12.2020, he along with
three persons were reported on duty and four other previously
appointed home guards also reported on duty. It is further
alleged that after 30 minutes from the reporting time of the
petitioner, it was informed that arms entrusted to Dinesh Singh
and Ram Bachan Singh were missing. On enquiry they made
allegation against this petitioner.



It is submitted on behalf of petitioner that allegation is against co-accused Dinesh Singh and Ram Bachan Singh and so far as this petitioner is concerned, only suspicion has been raised. Petitioner has got clean antecedent and is in custody since 23.12.2020. Investigation is complete. Similarly situated co-accused Shrawan Kumar Sharma vide Cr. Misc. no. 22007/2021 has been granted bail by a coordinate bench of this court.

Learned counsel for the State opposes the prayer for bail.

Considering the fact that similarly situated co-accused has been granted bail and the petitioner has clean antecedent, this bail application is allowed. Let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Ms. Nisha Kumari, Judicial Magistrate, Ist Class, Bikramganj, Rohtas/ concerned court in Rajpur P.S. Case no. 190/2020 on the following conditions.

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.



(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

s.hassan/-

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