

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28944 of 2021**

Arising Out of PS. Case No.-25 Year-2014 Thana- KUDHNI District- Kaimur (Bhabua)

SHAHABUDDIN ANSARI S/o Late Idrish Ansari Resident of Shobhipur,
P.S.- Kargahar, District- Rohtas (Sasaram).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Adv. Mrs. Meena Singh, Adv.
For the Opposite Party/s	:	Dr. Ajeet Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 06-12-2021 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the accused persons namely Badshah Ansari, Bechan Ansari and Mubarak Ansari are stated to have fired on the father of the informant, causing grievous injuries. It is further stated that the petitioner fired on the informant which missed him.

It is submitted by learned senior counsel appearing for the petitioner that the petitioner has been falsely implicated in the case. Even as per the F.I.R., the allegation against the petitioner is not of having fired on the father of the informant



who died but it is of having fired on the informant and having missed. The petitioner is in custody since 23.9.2020 and chargesheet has been submitted in the case. It is lastly submitted that the case of the petitioner stands on a better footing to that of co-accused Mubarak Ansari who has been enlarged on bail vide order dated 18.8.2018 passed in Cr. Misc. no.32193 of 2018 and Bechan Ansari who has been enlarged on bail vide order dated 21.3.2018 passed in Cr. Misc. no.51951 of 2017.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with grant of bail to the aforesaid co-accused Mubarak Ansari and Bechan Ansari , the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no.116 of 2020/G.R. no.2397 of 2014 (arising out of Kudhni P.S. Case no.25 of 2014) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge VII, Bhabua (Kaimur).

In view of the Sessions trial having commenced, it is directed that the petitioner shall cooperate in the trial and in case the learned trial court comes to the opinion that the trial is being



delayed due to non-cooperation on part of the petitioner, the learned trial court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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