

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39611 of 2020

Arising Out of PS. Case No.-112 Year-2019 Thana- GAUNAHA District- West Champaran

RAFAQUE ANSARI Son of Islam Alam @ Islam Miyan Resident of Village-
Pirari, P.S.- Inarwa, District- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate
For the Opposite Party/s : Ms. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 22-02-2021 Heard learned Counsel for the petitioner and the learned
Counsel for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Gaunaha PS Case No. 112 of 2019 registered under Section 392 of the IPC and Sections 25(1-b)a/26/35 of the Arms Act.

While the informant was on his way, three persons have intercepted him. They have snatched his belongings including cash. It is stated that one of them has been apprehended by the informant himself.

Learned Counsel for the petitioner submits that it is a case of false implication. Alleged recovery of country made pistol is by a private individual (informant) and the same has been handed over to the police by the informant himself. The petitioner has one criminal antecedent in which he is already on bail. In the instant case, he is in custody since 16.11.2019.



Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed.

Let the petitioner above named 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 CJM Bettiah, West Champaran in Gaunaha PS Case No. 112 of 2019 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)

SNkumar/-

U		T	
---	--	---	--

