

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6589 of 2021

Arising Out of PS. Case No.-579 Year-2018 Thana- KISHANGANJ District- Kishanganj

MD.ANSUR, S/o Md. Yunus @ Iunus Miya, R/o Churakutti, P.S.-
Goalpokhar, Distt- Uttar Dinajpur (W. Bengal)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarveshwar Tiwary Advocate
For the Opposite Party/s : Mr. APP.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 24-02-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in a case
registered for the offence punishable under Sections 302, 353,
333/34 of the Indian Penal Code and 27 Arms Act.

Petitioner had earlier moved this Court for regular bail
vide Cr. Misc. No. 52523 of 2019 which was rejected on
27.11.2019 with a direction to the trial court to conclude the trial
within one year.

Allegation against petitioner along with other
miscreants that they fired upon police party and from their
firing, one Hawaldar Biswa Urawn was seriously injured and
subsequently died.



It has been submitted on behalf of petitioner that he is innocent and has been falsely implicated in this case. Out of 12 prosecution witnesses only 4 witnesses have been examined inspite of the order of this Court. Similarly placed co-accused has been granted bail by co-ordinate bench of this court vide order dated 26.02.2019 passed in Cr. Misc. No. 11612 of 2019. Petitioner is in custody since 19.03.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-IV, Kishanganj in connection with Sessions Trial No. 65 of 2019 arising out of Kishanganj P.S. Case No. 579 of 2018 subject to the conditions that:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two



consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

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

(S. Kumar, J)

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