

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.8760 of 2021**

Arising Out of PS. Case No.-337 Year-2020 Thana- CIVIL LINE District- Gaya

TAUHID ANSARI @ GUDDU Son of Late Haidar Ansari Resident of
Village- Dadpur, P.S.- Fatehpur, District- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Aslam Ansari, APP

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

2 30-04-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking regular
bail in connection with Civil Lines P.S. Case No. 337/2020
registered for the offences punishable under Sections 379/411 of
the Indian Penal Code.

The prosecution story in brief is that one P.S.I. Sri
Kishore Kumar Jha submitted his written report before the SHO
of Civil Lines P.S. stating therein that on 07.09.2020 at about
10.00 pm while he was on patrolling duty, he received a secret
information at about 2.00 am that some unknown persons were
wondering near Nadraganj Masjid. It is further alleged that on
receiving such information he along with other police personnel
reached at the given place and saw that 6-7 persons were



coming towards Mazar, then they were surrounded and three persons were apprehended including the petitioner and other succeeded to flee away. On search from possession of the petitioner master key and a mobile phone was recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case merely on suspicion. Learned counsel submits that no incriminating article has been recovered from the conscious possession of the petitioner. It is submitted that the petitioner has remained in jail in connection with the present case since 09.09.2020.

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 it is alleged that from the possession of the petitioner two master keys and key of Hero Honda Motorcycle was recovered and after the arrest of the petitioner and the co-accused the raiding team recovered three motorcycles which are said to be stolen, considering that the petitioner has remained in jail in connection with the present case for over seven months, even though the petitioner has got criminal antecedent of six cases on his head all under Section 379 I.P.C. but this Court



directs release of the petitioner above named on bail considering his custody of seven months at this stage on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-XI, Gaya, in connection with Civil Lines P.S. Case No. 337/2020, 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 henceforth the petitioner shall mark his attendance in Fatehpur police station in the District of Gaya once in every two months and his attendance shall be recorded by the S.H.O. with complete details and whereabouts and his mobile number and in case anything



adverse is found against him or he is found getting involved in similar offence the officer in-charge shall take steps for cancellation of the bail of the petitioner.

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)

arvind/rajeev



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'.

