

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13082 of 2021

Arising Out of PS. Case No.-316 Year-2018 Thana- SONO District- Jamui

Mustakim Ansari, Son of Modin Ansari, Resident of Village- Ambedkar Nagar, Khalsi Mohalla, P.S.- Jhajha, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prakash Mahto, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 09-07-2021 The matter has been taken up today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Sono P.S. Case No.316 of 2018 initially registered for the offence punishable under Section 392 of the Indian Penal Code, which was subsequently converted into one under Section 395 of the Indian Penal Code.

Two lacs rupees has been snatched from the



informant, leading to lodging of the instant case against unknown persons.

Counsel for the petitioner submits that the petitioner's implication is on the basis of the statement of co-accused Amrendra Kumar, who has been allowed bail in Cr.Misc. No.18042 of 2020, vide order dated 15.06.2020. From the petitioner, there is no recovery of any incriminating material and other than confessional statement of co-accused, having no evidentiary value, there is nothing to connect the petitioner with the alleged occurrence. He is in custody since 26.09.2020 and as per disclosure made in paragraph 3 of the bail petition, there is one more case pending against him in which he is on bail.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Jamui, in connection with Sono P.S. Case No.316 of 2018, 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.

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

(Madhuresh Prasad, J)

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