

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3286 of 2022

Arising Out of PS. Case No.-36 Year-2021 Thana- NAURANGIA District- West Champaran

AJIM ANSARI S/o Farukh Ansari @ Faruk Ansari R/o Village - Lachhnauta,
P.S. - Matiyariya, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 03-09-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Naurangiya P.S. Case No. 36 of 2021 registered for the offence
under Section 392 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 01.07.2021.

The allegation against the petitioner is to commit
robbery and while committing, so taken away motorcycle and
mobile phone which belong to the informant.

Learned counsel appearing on behalf of the petitioner
submitted that name of the petitioner surfaced on the basis of



confessional statement of co-accused, namely, Sarphullah Ansari, and in furtherance thereof, looted motorcycle was not recovered from the possession of the petitioner rather it was found abundant and produced later on by father of this petitioner before police. It is submitted that no incriminating material surfaced/recovered which may connect petitioner, *prima facie*, with present occurrence of robbery. It is further submitted that petitioner and recovered motorcycle, both were not put on TIP, as yet. While concluding the argument, it has been submitted that investigation in this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that petitioner is not named in the FIR.

Considering the facts and circumstances as mentioned above, as no alleged recovery was made from possession of the petitioner to connect, *prima facie*, with present occurrence of robbery coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Naurangiya P.S. Case No. 36 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned J.M. 1st Class, Bagaha, West
Champaran/concerned court, subject to the following conditions
as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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

