

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10156 of 2022**

Arising Out of PS. Case No.-229 Year-2021 Thana- BAKHARI District- Begusarai

RAHUL ANSARI @ RAHUL S/o Phulkan Ansarai @ Mohammad Furkan
Resident of Village- Garhpura Tola, Katahri, P.S.- Garhpura, District-
Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikram Deo Singh
: Mr. Ashok Kumar
For the Opposite Party/s : Mr.Dr. Indiwari Kumari

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

3 16-08-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with Bakhri
P.S. Case No. 229 of 2021 registered for the offences punishable
under Sections 392 of the Indian Penal Code.

As per prosecution case, four persons came on two
motorcycle and on gun point snatched Rs. 11,500/-, driving
license, Aadhar Card, one mobile of Samsung company,
personal diary and motorcycle of the informant and all the
miscreants fled away.

Learned counsel for the petitioner submits that



petitioner is in custody since 04.10.2021. Petitioner bears one criminal antecedent of similar nature. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that petitioner is not named in the F.I.R. Petitioner has remanded in the case in connection with Bakhri P.S. Case No. 188 of 2021 where a confessional statement of this petitioner was recorded before the police on that statement he has been remanded in this case. During course of investigation in para 18 of the case diary one motorcycle was being recovered from the possession of the petitioner as mentioned in impugned order. No T.I.P. has been made in this case.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner as recovery has been made from the possession of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence as well as aspect of recovery, **if the trial is not concluded within six months from the date of receipt of the order** let the petitioner above named be released on bail, on



furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, Begusarai in connection with Bakhari P.S. Case No. 229 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

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

(Alok Kumar Pandey, J)

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