

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13894 of 2022

Arising Out of PS. Case No.-235 Year-2020 Thana- MOHANIYA District- Kaimur (Bhabua)

Maksud Ansari Son of Md. Mahaguddian Ansari Resident of Village - Suara,
P.s.- Nokha, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 18-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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 a case
registered for the offences punishable under Section 395 of the
Indian Penal Code.

The prosecution case, in short, is that when the
informant was returning from Motihari, at Katrakala Bridge, his
Tavera car got punctured and when the informant was trying to
change the punctured wheel, six unknown persons came there
and looted them. The accused persons snatched Rs. 18,000/- and



other articles from the informant and also took away his Tavera car.

Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R, he is innocent and falsely been implicated in this case. It is further submitted that the name of the petitioner surfaced on the confessional statement of another co-accused namely, Saroj Singh. No incriminating articles have been recovered from the possession of the petitioner. Till date, no Test Identification Parade (T.I.P) has been conducted. Further, it is submitted that Saroj Singh has been granted bail by a Co-ordinate Bench of this Court vide order dated 24.01.2022 passed in Cr. Misc. No. 42321 of 2021 and five other co-accused have also been granted bail by a Co-ordinate Bench of this Court vide Annexure-2 series. The petitioner is in custody since 21.09.2021, charge-sheet has been submitted in the case and has antecedent of four cases.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the



learned Court below where the case is pending/Successor Court in connection with Mohania P.S. Case No. 235 of 2020, subject to the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

(3) 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.

(Khatim Reza, J)

Gaurav Kumar/-

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