

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49117 of 2021**

Arising Out of PS. Case No.-127 Year-2021 Thana- JANTA BAZAR District- Saran

Hadish Ansari S/O Late Ali Raza Mian R/o village- Nawka Bazar,
Dandashpur,P.S.- Janta Bazar, District- Saran

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. K. Singh, Sr. Advocate Mr. Sanjay Kumar Singh
For the Opposite Party/s	:	Mr. Ashok Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

4 24-03-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in a case registered for the offences punishable under Sections 341, 323, 307, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

According to prosecution case, the informant Akhtar Ansari stating therein that on 19.06.2021 informant was playing game at western side of the house, in the meanwhile, Arman Ansari and Hadish Ansari came and at the instigation of Hadish Ansari, Arman Ansari hurled abuses and fired with country



made pistol, with intention to kill him, the pellet of the pistol burst his neck and came out. He fell on the ground after injury and blood began to ooze out.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. He further submits that it appears from the F.I.R. that the allegation against the petitioner is that he is only order given to the co-accused namely Farma Ansari to fire upon the Akhtar Ansari. He further submits that after investigation police has submitted the charge sheet against the petitioner. The petitioner is in custody since 07.07.2021.

The learned counsel for the Informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail and fairly submits that it is true that petitioner is only order given.

Considering the aforesaid facts and circumstances, 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 Court below where the case is pending in connection with Janta Bazar P.S. Case No. 127 of 2021, 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 shall remain physically present as directed 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. 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.

3. 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.

(Rajesh Kumar Verma, J)

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