

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43250 of 2022

Arising Out of PS. Case No.-351 Year-2021 Thana- KHAIRA District- Saran

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REYAZ ANSARI @ REYAZ ALAM S/O MANJUR RAIN Resident of
village- Satua, P.S.- Baniyapur, District- Saran (Chapra).

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh

For the Opposite Party/s : Mr.Rina Sinha

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 22-11-2022 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 Khaira
(Nagra) P.S. Case No. 351 of 2021 registered for the offences
punishable under Section 394 of the Indian Penal Code.

As per prosecution case, informant's motorcycle
has been snatched by three miscreants.

Learned counsel for the petitioner submits that
petitioner is in custody since 15.03.2022. Petitioner bears
criminal antecedent of three cases in which he is on bail in all
cases. Charge sheet has been submitted in the case and there is
no likelihood of tampering with the prosecution evidence.



Learned counsel for the petitioner further submits that FIR has been lodged against three unknown persons. The name of the present petitioner has been surfaced in this case upon the confessional statement of the co-accused Suraj Kumar. Except the confessional statement of co-accused, there is nothing on record to demonstrate the complicity the petitioner with the alleged occurrence. No incriminating article has been recovered from the possession of the petitioner.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, as submitted, argument advanced on behalf of both sides and also taking into consideration the material available on record, 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 Judicial Magistrate Ist Class, Chapra, Saran in connection with Khaira (Nagra) P.S. Case No. 351 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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