

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50098 of 2022

Arising Out of PS. Case No.-52 Year-2022 Thana- BARHAT District- Jamui

MD SHAHID ANSARI @ SAHIL ANSARI Son of Safik Ansari @ Safik
Mian Resident of Village - Gamhariya, P.s.- Khaira, Distt.- Jamui.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bharat Lal, Advocate

For the Opposite Party/s : Mr.Kanhaiya Kishore, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 23-12-2022 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by the Stamp Reporter by

16th January, 2023.

Heard learned counsel for the petitioner and Mr.
Kanaiya Kishore, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in
connection with Barhat P.S. Case No. 52 of 2022 registered for the
offence punishable under Section 392 of the Indian Penal Code.
He is in custody since 15.06.2022. He has no criminal antecedent.

Learned counsel for the petitioner submits that as per
the prosecution story, the informant was robbed of Rs. 96,000/-
cash, mobile phone set, Aadhar card and his motorcycle on the
point of pistol by three unknown miscreants while he was on way
through his motorcycle.

Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. It is further submitted that the petitioner has been implicated on the basis of confessional statement of the co-accused but there is no identification of him. It is further submitted that no incriminating article has been recovered from his possession.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is submitted that the petitioner has been implicated on the basis of confessional statement of the co-accused but there is no identification of him and no recovery has been made from his possession, he has no criminal antecedent and has remained in custody since 15.06.20022, there is no submission on behalf of the State that release of the petitioner at this stage is likely to result in tampering with the evidence or interfering with the course of trial or his presence cannot be secured in course of trial, this Court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of Sri G.K. Chaurasiya, J. M. Ist Class, Jamui in connection with Barhat P.S. Case No. 52 of 2022, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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.

The application stands allowed.

Certified copy of this order shall be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

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