

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63709 of 2021**

Arising Out of PS. Case No.-139 Year-2021 Thana- AMARPUR District- Banka

=====

SHAHNAWAZ ANSARI @ SHAHANAVAJ ANSARI @ SHAHNAWAZ @
CHHOTU MIYAN Son of Md. Rajjak Miyan @ Mohammad Rajak Ansari
Resident of Village- Takat Banhara, Police Station- Amarpur, District- Banka.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Syed Asgher Najmi

For the Opposite Party/s : Mr.Satyendra Narayan Singh

=====

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

3 29-03-2022 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in a case registered for the of-
fences under Sections 395, 412 of the Indian Penal Code.

The learned counsel for the petitioner submits the peti-
tioner is in custody since 19.06.2021, charge-sheet has been submit-
ted and has antecedent of one case and informant alleges that on
19.03.2021, he was carrying sand on his truck and was going to
Katihar and near Dumrava High School, he saw some miscreants
looting truck driver on which informant protested but the miscreants
looted mobile and Rs. 15,00/- from the informant. Further, the po-
lice arrived and two criminal, Vishal and Md. Irshad was arrested
and Vishal disclosed the name of petitioner and other accused who
had fled away from the place of occurrence.



The learned counsel for the petitioner submits that petitioner has not been arrested on the spot and his name has come on the confessional statement of the co-accused before the police which has no evidentiary value. The learned counsel further submits that no looted article was recovered from the possession of the petitioner after his arrest nor even put on T.I. Parade.

The learned APP vehemently opposes the bail application.

Considering the fact the petitioner is in custody since 19.06.2021, chargesheet has been submitted and was not arrested from the spot and his name transpired in the confessional statement of the co-accused, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Amarpur P.S. Case No. 139 of 2021 with a condition that one of the bailor shall be the father of the petitioner (Md. Rajjak Miyan @ Md. Rajak Ansari).

The application stands allowed.

(Satyavrat Verma, J)

sanjeev/-

U		T	
---	--	---	--

