

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64585 of 2021

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

Farman Ansari Son of Hadish Ansari Resident of 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. Krishna Prasad Singh, Sr. Advocate'
		Mr. Sanjay Kumar Singh, Advocate
For the Opposite Party/s :		Mr. Anil Kumar Singh No.1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-04-2022 Heard learned senior 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, as per fardbeyan of the informant namely Akhtar Ansari 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



pillet of the pistol burst his neck and came out. He fell on the ground after injury and blood began to ooze out. Informant was taken to Lahladpur PHC from where he was referred to Civil Hospital, Chapra.

Learned senior counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that it appears from the F.I.R. that the petitioner fired upon the informant. He further submits that the injury report is not corroborated the allegation as alleged in the F.I.R.. He further submits that as per injury report, the injury is said to be simple in nature and caused by hard and blunt substance. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Hadish Ansari has been granted bail by a co-ordinate Bench of this Court vide order dated 24.03.2022 passed in Cr. Misc. No. 49117 of 2021. The petitioner is in custody since 07.07.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

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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