

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35013 of 2022

Arising Out of PS. Case No.-830 Year-2019 Thana- BETTIAH CITY District- West
Champaran

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ALI HASAN ANSARI @ ALI HASSAN MIYAN @ MUKHIYA S/o Chinagi
Miyan Resident of Village- Sirisiya, Police Station- Sathi, District- West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Zainul Abedin
For the Opposite Party/s : Mr.Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 23-01-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in
connection with Bettiah Town P.S. Case No. 830 of
2019, registered for the offence punishable under
Section 394 of the Indian Penal Code.

The case of the prosecution, in brief, is that
on 11.11.2019 at about 11:00 am. when the
informant along with one Rahul Kumar was going
to State Bank of India, Main Branch, on a
motorcycle, for depositing a sum of Rs.
15,00,000/- and they had reached near



Gulabbagh, two miscreants had arrived there from behind and had dashed their motorcycle with the motorcycle of the informant and then, they had snatched the bag of the informant, containing a sum of Rs. 15,00,000/-. It is also alleged that when protest was made, the said miscreants had fired gunshots, which had hit one Rahul Kumar, resulting in him sustaining firearm injury on his waist.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 19.2.2021. The learned counsel for the petitioner has further submitted that the petitioner has been mechanically roped in the present case on account of his bad antecedent, inasmuch as he is an accused in 18 other criminal cases. It is further submitted that neither any Test Identification Parade has been held nor any recovery of looted cash amount has been made from the petitioner, hence, the petitioner is not



having any complicity in the matter. It is also submitted that similarly situated co-accused persons have already been granted bail by coordinate Benches of this Court, vide orders dated 12.10.2020 and 28.6.2022, passed in Criminal Miscellaneous No. 25924 of 2020 and Criminal Miscellaneous No. 70114 of 2021.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials on record, I deem it fit and proper to direct for release of the petitioner on bail, immediately upon framing of charge by the learned court below, subject to such conditions as may be deemed fit and proper to be imposed by the learned court of Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah Town P.S. Case No. 830 of 2019.

The present petition stands disposed off with



the aforesaid observations and directions.

(Mohit Kumar Shah, J)

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