

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36208 of 2023

Arising Out of PS. Case No.-231 Year-2021 Thana- SUGAULI District- East Champaran

SADDAM ANSARI Son of Husnain Ansari Resident of Village - Utari
Buchcha, P.S. - Sugauli, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md.Zainul Abedin, Advocate

For the Opposite Party/s : Md.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 06-10-2023 Heard the parties.

2. The petitioner is in judicial custody in connection with Saugauli P.S. Case No. 231 of 2021 registered under sections 147, 148, 149, 341, 323, 307, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. The allegation against the accused persons are that they were armed variously and opened fire which hit the stomach of Matiullah Ansari.

4. Earlier the prayer of bail of this petitioner was rejected vide an order dated 12.4.2022.

5. On 21.6.2023, a report was called for, according to which four out of six witnesses have been examined.

6. It is the case of the petitioner that he has remained in custody since 3.6.2021 (para-15 of the petition) and other



accused persons have since been granted relief.

7. Taking into account the aforesaid facts as also that he has remained in custody for more than two years and will be diligently appearing in the trial, this Court is inclined to extend him privilege of anticipatory bail.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Saugauli P.S. Case No. 231 of 2021 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month till the conclusion of the trial to mark his attendance;

(iv) the petitioner shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(v) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bonds.

With the aforesaid observations, the application is
allowed.

(Rajiv Roy, J)

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