

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45276 of 2023

Arising Out of PS. Case No.-148 Year-2022 Thana- BARAHAT District- Banka

1. BULLET ANSARI @ NAJEER ANSARI Son of Md. Munna Ansari @ Munna Ansari Resident of village - Banjhi (Taljhari), P.S. - Deodar, Distt. - Godda (Jharkhand)
2. Md. Salman Ansari @ Salman Ansari Son of Md. Munna Ansari @ Munna Ansari Resident of village - Banjhi (Taljhari), P.S. - Deodar, Distt. - Godda (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Adv.

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek bail in connection with Barahat
P.S. Case No. 148 of 2022 registered for the offence under
Sections 392 of the Indian Penal Code.

Some miscreants are alleged to have committed loot of
informant and snatched his mobile and cash of Rs. 22,500/- as
well as his truck.

Learned counsel appearing for the petitioners submits
that the petitioners are innocent and have falsely been implicated
in this case. He further submits that the petitioners have not been
named in the F.I.R., however, his name transpired in this case on



the basis of confessional statement of the co-accused, Md. Imran. He further submits that, in fact, neither anything incriminating has been recovered from the conscious possession of the petitioners nor they have been put on T.I.P. by the prosecution as yet. Save and except the confessional statement of the co-accused, no cogent material has surfaced during course of investigation suggesting the involvement of the petitioners in the alleged occurrence. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioners. Moreover, co-accused, Md. Imran @ Mohammad Imran, Faizal @ Md. Faishal and Najruddin Ansari @ Nasruddin Ansari have already been granted bail by a co-ordinate Bench of this Court vide order dated 12.01.2023, 20.06.2023 and 18.05.2023 passed in Cr. Misc. No. 55945 of 2022, Cr. Misc. No. 13720 of 2023 and Cr. Misc. No. 19223 of 2023, respectively. The petitioners are rotting in judicial custody since 14.11.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners and submits that the petitioner No.1 carries four more cases other than the present one and petitioner No.2 is having seven more cases other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief



Judicial Magistrate, Banka in connection with Barahat P.S. Case
No. 148 of 2022 with the following conditions:-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be canceled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

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 petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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