

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56240 of 2023**

Arising Out of PS. Case No.-39 Year-2023 Thana- SHYAMPUR BHATHAN District-
Sheohar

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MOHAMMAD ASIF ANSARI @ MD.ASHIK ANSARI @ ASHIF SON OF
VAJIR ANSARI RESIDENT OF VILLAGE- BENIPUR KATHAUR, WARD
NO. 8, PS -RAJA PARSAUNI, DISTT-. SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Masoom Alam, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 29-08-2023

Heard the parties.

The petitioner is an accused in connection with Shyampur Bhatahan P.S. Case No. 39 of 2023 registered for the offences under sections 387, 504, 506 and 34 of the Indian Penal Code and section 27 of the Arms Act lodged on 09.05.2023 by the informant, Ramakant Pandey.

As per the prosecution story, the allegation is that the accused persons came, opened fire in the air and threw pamphlet demanding Rs. 2 lakhs or to stop work. Accordingly, the FIR.

It is the case of the petitioner that unnecessary the accused persons including the petitioner has been implicated in this case, he had no role to paste the written note on the road blocker board, has suffered by being in custody since



24.05.2023 (as stated in paragraph 13 of the bail application) and do not have criminal antecedent.

Learned APP for the State, on the other hand, opposes the prayer for bail stating that they were demanding Rs. 2 lakhs from the informant.

Taking into account the submissions put forward by the learned Counsel for the petitioner, he do not have criminal antecedent, FIR lodged and will be facing the trial, this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned Court of ACJM, Sheohar in connection with Shyampur Bhataha P.S. Case No. 39 of 2023, 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 fortnight for next six months to mark 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 his 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 the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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