

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54300 of 2023

Arising Out of PS. Case No.-156 Year-2023 Thana- MAJORGANJ District- Sitamarhi

ABRAR ANSARI @ DUKKHA @ DUKHA @ DUKHKHA S/O SAGIR
ANSARI R/O VILLAGE- HASANPUR TOLA WARD NO.-13, P.S-
MAJORGANJ, DISTT.- SITAMARHI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-08-2023 Heard the parties.

2. The petitioner is in Judicial custody in connection with Majorganj P.S. Case No. 156 of 2023, instituted under Sections 25(1-b)a and 26 of the Arms Act, lodged on 04.06.2023 by the informant, Sarvesh Yadav.

3. As per the prosecution story, the SSB Battalion found persons coming from Nepal to India in suspicious condition in the midnight hours on motorcycle. Upon seeing the police, they tried to escape but were apprehended and on search being made, 9 MM country-made pistol was found in his waist. Accordingly, he was apprehended and FIR lodged.

4. The case of the petitioner is that he does not have criminal antecedent, was coming to India, there was altercation



with the SSB, implicated. Further, he has been in custody since 04.06.2023 (para 13 of the bail petition) and does not have criminal antecedent.

5. Learned APP opposes the prayer for bail stating therein that revolver has been recovered from the possession of the petitioner.

6. Considering the submission put forward by the parties, his period of custody and also that he does not have criminal antecedent, FIR lodged during course of trial, this Court is inclined to grant him privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate Ist, Sitamarhi, in connection with Majorganj P.S. Case No. 156 of 2023, subject to 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 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 the bail bonds.

(Rajiv Roy, J)

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