

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59933 of 2022

Arising Out of PS. Case No.-423 Year-2021 Thana- MAIRWAN District- Siwan

=====

ASHIF ANSARI @ ASHIF ALI SON OF IBRAHIM ANSARI R/O
VILLAGE- LALGARH, P.S.- MAIRWA, DISTT.- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Ms.Kumari Anupam, Advocate

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-01-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection
with Mairwa PS case no. 423 of 2021 instituted for the
offences punishable under Section 395 of the Indian Penal
Code.

The allegation is regarding 06 unknown
miscreants having arrived at the confectionery shop of the
informant, whereafter they had entered the shop and robbed
the informant of a sum of Rs. 15 to 20 thousand and had then
fled away.

The learned Senior counsel for the petitioner
submits that the petitioner is innocent, has been falsely



implicated in the present case and he is languishing in custody since 09.02.2022. The learned Senior counsel for the petitioner has further submitted that the petitioner is accused in one another case but he is on bail in the said case. It is also submitted that neither any test identification parade has been held so as to connect the petitioner with the alleged crime nor any looted cash amount has been recovered from the conscious possession of the petitioner. Lastly, it is submitted that similarly situated co-accused persons have already been granted bail by co-ordinate Benches of this Court vide orders dated 05.04.2022 and 13.07.2022, passed in Cr. Misc. no. 8929 of 2022 and Cr. Misc. no. 12618 of 2022, respectively.

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 parties and taking into account the parity of the case of the petitioner with that of the accused persons, who have already been granted bail by co-ordinate Benches of this Court, I deem it fit and appropriate to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed



to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. 8th, Siwan in connection with Mairwa PS case no. 423 of 2021.

(Mohit Kumar Shah, J)

rinkee/-

U		T	
---	--	---	--

