

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77307 of 2023

Arising Out of PS. Case No.-2 Year-2023 Thana- JHAJHA RPF/POST District- Lakhisarai

Ashique Ansari S/O Late Kayum Ansari Village- Gugaldih, Ps. Barhat, Dist.
Jamui

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Narsingh Tanti

For the Opposite Party/s : Mr. Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 3 of the R.P. (U.P.) Act.

3. As per the prosecution case, on the basis of secret information, the complainant along with RPF personnel as well as police reached at the shop of the petitioner. During the course of search, 2 pieces of 1.5 feet each and one piece of 3 feet, railway line were recovered. The brother of the petitioner was sitting in the shop.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not



specific rather general and omnibus in nature. He submits that neither the family members of the petitioner nor the local police was made the seizure list witness, while as per F.I.R., the local police was present at the place of occurrence. There is no compliance of Section 100(3) of the Cr.P.C. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the fact that the petitioner has no criminal antecedent, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with R.P.F. Post Jhajha P.S. Case No. 02 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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