

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74146 of 2022

Arising Out of PS. Case No.-112 Year-2022 Thana- MADHAURAH District- Saran

MERAJ ANSARI Son of Mokhtar Ansari Resident of Village- Sipaha Khash,
P.S.- Manjha garh, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Advocate

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 17-04-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner is in judicial custody in connection with Madhowrah P.S. Case No. 112/2022 instituted under Sections 395 and 397 of the I.P.C. lodged on 21.02.2022 by the informant Lalu Prasad Yadav.

As per the FIR, the prosecution story, in brief, is that the informant alleged that on 20.02.2022, when the family members were sleeping, the miscreants entered into his daughter's room and on the point of pistol, snatched the golden ring, ear top locket of gold, nose pin etc and cash ten thousand rupees and mobile also.

The contention put forward by learned counsel for the petitioner is that despite being in custody since 23.03.2022 (as stated in para-9 of the petition), no T.I. parade has been done,



his name has come in the confessional statement of Tinku Sharma and due to his being jail since last one year, his family members are at the stage of starvation. The further contention is that Shahij Azam whose name was also taken by Tinku Sharma has since been granted bail by a coordinate bench in Cr. Misc. No.64550 of 2022.

Let the same be kept on record.

Learned APP opposes the prayer stating that he has criminal antecedent.

Considering the fact that similar placed co-accused has been granted bail, as stated above, he has already suffered by being in custody since last one year, name has come in the confessional statement and no T.I. parade has been done, this Court is inclined to extend him privilege of bail with conditions in view of the fact that he has criminal antecedent.

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 in connection with Madhowrah P.S. Case No. 112/2022 to the satisfaction of learned C.J.M., Saran at Chapra, 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/her 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)

Prakash Narayan /-

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