

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1397 of 2023

Arising Out of PS. Case No.-157 Year-2022 Thana- EKMA District- Saran

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SHAHID ANWAR ANSARI @ RANGILA ANSARI S/o Sarajuddin Ansari
@ Sanrajuddi Ansari R/o village- Ekaripur Daxin Tola, P.S.- Akma, Distt-
Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Avanish Kumar Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 20-06-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
29.04.2022 in connection with Ekma P.S. Case No. 157 of
2022, F.I.R. dated 23.04.2022 registered for the offence
punishable under Sections 302/201/120B of IPC.

The informant Phulpati Devi, mother of the deceased
has made allegation in the FIR that co-accused Anshu Kumar
and Shivam Kumar called and took out her son. Later on, six
named accused persons killed her son by inflicting repeated
knife blows. In CCTV Footage, it was revealed that the injured
was carried to the clinic by WagonR No. 8521.

Learned counsel appearing for the petitioner submits



that the petitioner has clean antecedent and he has falsely been implicated in the present case merely on the basis of suspicion. Further submits that the informant is not the eye witness of the alleged occurrence. In fact the petitioner and the deceased were childhood friend and there was no intention to kill the son of the informant. Further submits that during investigation no other cogent material has come against the petitioner to suggest the involvement of the petitioner in the present occurrence, except the suspicion. Further submits that the similarly situated co-accused, namely, Arvind Singh @ Arvind Kumar Singh has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 15.03.2023 passed in Cr. Misc. No.52717 of 2022 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 29.04.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 8th Additional Sessions Judge, Saran, Chapra in connection with Ekma P.S. Case No. 157 of 2022, with the following conditions:-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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