

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14247 of 2024

Arising Out of PS. Case No.-511 Year-2022 Thana- KESARIA District- East Champaran

Jamshed Ansari @ Jamshed Alam S/o Makbul Ansari @ Mo. Makbool Ahmad @ Makbool Ahmad R/o Village- North Hussaini (Husseni), P.S.- Dumariyaghat, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-04-2024 Heard learned counsel for the petitioner and learned APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Kesariya P.S. Case no. 511 of 2022 instituted for the offence under Sections 394, 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, the allegation against four unknown miscreants is that boarded on two motorcycles came and snatched bike of the informant. It is further alleged that when informant tried to stop them, they also fired upon him due to which he sustained injury



on his hand.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of confessional statement of co-accused Navin Kumar. Neither the petitioner is named in the FIR nor he was put on TIP. It is further submitted that nothing looted article has been recovered from his conscious possession. Similarly situated co-accused Apsar Hussain @ Afsar Hussain has been granted bail vide order dated 08.09.2023, passed in Cr. Misc. No. 59544 of 2023 by this Court.

In contra, learned A.P.P. appearing on behalf of the State vehemently opposed the prayer of bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Kesariya P.S. Case no.



511 of 2022, he will be enlarged 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 Chief Judicial Magistrate, East Champaran, Motihari, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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