

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34366 of 2024

Arising Out of PS. Case No.-327 Year-2023 Thana- DARAUNDA District- Siwan

=====

SAMIR ANSARI @ NAWAJ ALAM SON OF ASARAF ALI RESIDENT OF
VILLAGE - BAL BANGRA, P.S. - DARAUNDA, DISTRICT - SIWAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mrs.Renu Kumari, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 06-05-2024 Heard learned counsel for the petitioner and Mrs.
Renu Kumari, learned APP for the State.

2. The petitioner seeks bail in connection with
Daraunda P.S. case No. 327 of 2023 instituted for the offences
under Section 392 of the Indian Penal Code.

3. Prosecution case, in short, is that four unknown
miscreants looted bag containing cash amounting to Rs.
68,495/- and other articles. It is further alleged that they also
looted mobile and motorcycle of the informant on the point of
pistol and *chaku*.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. The name of the petitioner



transpired in this case on the basis of confessional statement of the co-accused. No incriminating/looted article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that T.I.P. has not been conducted till date. Learned counsel further submitted that petitioner has got no concern with the looted articles. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 14.12.2023 and has two criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, nature of offence as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Daraunda P.S. case No. 327 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) 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.

(IV) If the petitioner is found involved in similar nature of offence in future, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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

