

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.78561 of 2024

Arising Out of PS. Case No.-267 Year-2024 Thana- CHAINPUR District- Kaimur (Bhabua)

Barkat Ansari @ Barkat Jawed S/o- Md. Iliyas Ansari @ Iliyas Ansari
Resident of village and PO Sikandarpur PS- Chainpur District- Kaimur
(Bhabhua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.
Mrs. Vaishnavi Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 15-01-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 127(1), 115(2), 117(2),
109, 103(1), 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023,
and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner along
with other co-accused persons is said to have opened
indiscriminate firing due to which nephew of the informant
fell down and on the way to hospital he died and two persons
had sustained injury in the said occurrence.

4. Learned counsel for the petitioner submits that
no such occurrence as alleged ever took place. He is quite
innocent and has been falsely implicated in this case. The
allegation levelled against the petitioner is not specific rather
general and omnibus in nature. He submits that there is specific



allegation against co-accused, namely, Mohsin Khan and Khalik Khan, who is said to have fired upon the nephew of the informant due to which he fell down and on the way to Hospital he died. The petitioner has no criminal antecedent and has been languishing in custody since 21.07.2024.

5. Learned APP for the State opposed the bail petition.

6. Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail 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 Chainpur P.S. Case No.267 of 2024, subject to the further condition that petitioner shall cooperate 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned Trial Court.

(Anjani Kumar Sharan, J)

anand/-

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