

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57279 of 2017

Arising Out of PS.Case No. -458 Year- 2017 Thana -PURNEA SADAR District- PURNIA

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1. Md. Firdosh Ansari, Son of Md. Umar Ali Ansari @ Md. Umar Ali, All
are resident of kaliganj, Police Station-Mufassil in the District of Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Mr. Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 15-12-2017 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Sadar
(Mufassil) P.S. Case No.458 of 2017 registered for the offences
punishable under Sections 457, 341, 323, 376/511 of the Indian
Penal Code.

It is alleged that in the night of 22.08.2017 when the
informant was sleeping with her husband, this petitioner entered
into the house and attempted to commit rape. On raising alarm by
the informant, the petitioner started fleeing away but the villagers
apprehended him. It has been submitted that the petitioner is a
resident of adjoining village. It has been submitted that one
Chandan Yadav has taken loan from the petitioner and when the
petitioner demanded the amount, the said Chandan Yadav along



with the witnesses of this case assaulted the petitioner and got this case with false allegation lodged. The petitioner is in custody since 24.08.2017 having clean antecedent.

The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer of bail is allowed. The petitioner, named above, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with Sadar (Mufassil) P.S. Case No.458 of 2017 (G.R. No.3198 of 2017), subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) If the petitioner is found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iv) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

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