

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59164 of 2018

Arising Out of PS. Case No.-22 Year-2012 Thana- PURNIA COMPLAINT CASE District-
Purnia

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Margoob Ansari @ Margob Ansari, Son of Jabbar Ansari, resident of Village
Makhanaha, Police Station- Banmankhi, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Chanda Khatoon, Daughter of Kashim Ansari, resident of Village-
Makhanaha, Police Station- Banmankhi, District- Purnea.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh

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

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 10-10-2018 Heard learned counsel for petitioner, learned counsel
for the State and learned counsel for the Informant.

Petitioner seeks bail in **C.A. Case No. 22 of 2012**
registered for the offence punishable under Sections 366A, 342,
376 and 120B of the Indian Penal Code.

Allegation against the petitioner is of committing rape
upon the complainant.

It has been submitted on behalf of the petitioner that
he is innocent and has been falsely implicated in this case due to
village politics. It has been submitted on behalf of the petitioner
that there is delay of fourteen days in lodging the FIR. It has
been further submitted that neither the complainant has been



examined by the Doctor nor there is any medical report to support the aforesaid version of rape. Similarly, situated co-accused person has been granted bail by a co-ordinate bench of this Court vide order dated 23.11.2017 in Criminal Miscellaneous No. 55912 of 2017.

Learned counsel for the Informant vehemently opposes the prayer for bail.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **ACJ-1, Purnea**, in connection with **C.A. Case No. 22 of 2012**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for cancellation of
bail of the petitioner.

(S. Kumar, J)

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