

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60282 of 2018

Arising Out of PS. Case No.-114 Year-2017 Thana- GOH District- Aurangabad

Mumtaz Ansari, son of Md. Kudush Ansari @ Kudush Ansari, resident of Village Mirpur, Police Station Goh, District- Aurangabad.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Santosh Chandra Bhaskar, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 20-02-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 147, 149, 341, 323, 354, 509, 379, 307 and 427 of the Indian Penal Code and Section 3/4 of the Witchcraft Act registered in connection with Goh P.S. Case No. 114 of 2017.

3. It is submitted that the petitioner has been falsely implicated and as many as 17 named persons have been made accused. The accusation of assault is general and omnibus in nature and there is delay in lodging the written report on 24.08.2017 for the alleged occurrence of 18.08.2017. The petitioner claims clean antecedents.

4. A perusal of paragraph 33 of the case diary containing the injury report discloses that the injury sustained by the informant is simple in nature.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner 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 learned Sub-Divisional Judicial Magistrate, Daudnagar, District Aurangabad in connection with Goh P.S. Case No. 114 of 2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

BT/Chandran

(Vikash Jain, J)

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