

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16770 of 2021

Arising Out of PS. Case No.-215 Year-2020 Thana- BAUNSI District- Banka

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SUFYAN ANSARI @ SUFIAN ANSARI Son of Samin Ansari, Resident of
Village - Bena Mohanpur, P.S.- Bounsi, District - Banka (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shiv Kumar Prabhakar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 25-10-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner has filed
supplementary affidavit stating therein that in para-1 of the bail
application the age of the petitioner has been wrongly
mentioned 59 years instead of age 25 years. The correct age is
25 years.

Let it be corrected and read accordingly to the extent
as indicated above.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 302/34 of the Indian Penal
Code.

Prosecution case, in brief, is that on 25.08.2020 the
informant alongwith his family members was sleeping inside his



house and at that time he heard the noise of crying of her daughter and when he reached there he saw that one Sufian Ansari was trying to molest her daughter and after seeing the informant he managed to escape. That the informant alongwith other villagers went to his house and a panchayati was scheduled next morning for that incident. That panchayat took place for three hours and accused persons told that the Panch that they would not follow the instruction of Panchayat. That after some time the informant heard from the villagers that some one had killed his daughter.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to dirty village politics. He submits that there is no eye witness in the present case only on suspicion, the petitioner has been made accused in this case. No any incriminating articles has been recovered from the conscious possession of the petitioner. He further submits that there is general and omnibus allegation against the petitioner. The petitioner is languishing in judicial custody since 28.08.2020. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail petition.



Learned APP for the State vehemently opposed the prayer for bail application.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Bounsi P.S. Case No. 215/2020 to the satisfaction of learned Court below where the case is pending/ successor Court; subject to the following conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will be given an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) that the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(3) that the petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates his bail bond will be liable to be



cancelled.

(4) that the petitioner shall co-operate 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.

(5) that the petitioner will mark his attendance in the local police station in first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(Anjani Kumar Sharan, J)

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