

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39931 of 2022

Arising Out of PS. Case No.-151 Year-2022 Thana- BANKA District- Banka

MD. IBRAHIM @ MD. IBRAHIM ANSARI S/O MD. RABUL @ KHUL
ANSARI Resident of Village- Aliganj, P.S.- Banka, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda, Advocate

For the Opposite Party/s : Ms. Veena Rani Prasad, A.P.P.

: Mr. Md. Najmul Hooda, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-12-2022 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 302, 201 and 34 of the Indian Penal Code.

The informant alleges that the petitioner along with his wife committed murder of his wife and, thereafter, hanged her dead body.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the present case, it is next submitted that informant has implicated, in the present case, his own daughter and son-in-law (petitioner), learned counsel further submits that it absolutely does not stand to reason that a daughter will kill her



own mother in connivance with her husband, it is further submitted that it appears that the occurrence was committed in some other manner and the informant for reasons best known has implicated his own daughter and son. It is also submitted that purpose of arrest is not to punish but to ensure that investigation is not hampered, it is next submitted that petitioner will not evade the law, will cooperate in the investigation and will present himself as and when required by the Investigating Officer of the case for arriving at the truth.

Learned A.P.P. for the State and the learned counsel for the informant opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Banka P.S. Case No. 151 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



Further, in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that the petitioner despite giving assurance to this Court that he will cooperate in the investigation and will present himself as and when required by the Investigating Officer, is not cooperating in the investigation or is not appearing before him when called for, the learned Trial Court, after giving an opportunity of hearing to the petitioner, shall pass orders in accordance with law and shall also have the liberty to cancel his bail bonds and to take all coercive steps to ensure that he is behind bars.

Further, if the Investigating Officer after investigation submits a charge sheet and the learned Trial Court comes to a conclusion that petitioner is trying to delay the trial, then in that event also the learned Trial Court shall have the liberty to cancel his bail bonds.

The learned Trial Court is directed to send the copy of this order to the concerned P.S.

(Satyavrat Verma, J)

HarshPandey/-

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