

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58640 of 2021

Arising Out of PS. Case No.-299 Year-2021 Thana- MUFFASIL District- West Champaran

TABREJ ANSARI S/O Alim Ansari @ Alim Miyan Resident of Village - Gurwalia, Shiwala Tola, P.S. - Manuapul O.P. (Bettiah Muffasil), District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Adv.

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 18-05-2022 Heard learned counsel for the parties.

Let the defect(s), if any, be removed within four weeks.

The petitioner is in judicial custody in connection with Bettiah Muffasil (Manuapul O.P.) P.S. Case No.299/2021 instituted under Sections 146, 341, 323, 324, 325, 307, 354A/379,504,506 of the Indian Penal Code.

The allegation in the FIR is that there was water logging on the roof of accused Aalim Miya which was being cleared by him. As it was coming on the bed of the informant, the same was complained whereafter it is alleged that all the accused persons variously armed came and upon the order of the said accused Aalim Miya and Saheb Ansari caught hold of the informant and Aurenjeb Ansari gave a *farsa* blow on the head



causing injury. When the informant's wife came to his rescue it is alleged that they injured her also. The further allegation is of outraging the modesty of the wife of the informant and removing Rs.2000/- from the pocket. It is in this way that the FIR was instituted and the petitioner came into judicial custody and is in jail since 25.07.2021 (as stated in para-13 of the bail application).

Considering the fact that petitioner is not the person against whom the allegation of assault by *farsa* is attributed, charge sheet stand submitted and he is in jail since 25.07.2021, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each in connection with Bettiah Muffasil (Manuapul O.P.) P.S. Case No.299/2021 to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive



dates without plausible reasons will entail cancellation of his bail by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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