

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3451 of 2023

Arising Out of PS. Case No.-183 Year-2022 Thana- CHANDI District- Bhojpur

Alamgir Mansoori @ Alamgir Mansuri Son of Shafik Mansoori @
Mohammad Shafik R/v- Kosihan, P.S.- Chandi, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 08-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks bail, who is in custody since 21.08.2022, in connection with Chandi P.S. Case No. 183 of 2022, F.I.R. dated 17.07.2022 registered for the offences punishable under Section 363 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 10.07.2022 at about 04:00 P.M. accused persons including the petitioner are alleged to have kidnapped the daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the



petitioner has not committed any offence as alleged in the F.I.R. He further submits that the statement of the victim was recorded under Section 164 of the Cr. P.C. in which she has categorically stated that the petitioner had abducted her and also committed wrong with her. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 21.08.2022.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the statement of the victim was recorded under Section 164 of the Cr. P.C. in which she has categorically stated that the petitioner has committed rape upon her.

6. Considering the facts and circumstances of the case and the period of custody, let the petitioner, above named, be released on bail, **after framing of charge**, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 5th, Bhojpur at Ara in connection with Chandi P.S. Case No. 183 of 2022, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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