

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16268 of 2023

Arising Out of PS. Case No.-517 Year-2022 Thana- SUGAULI District- East Champaran

NURAIN ANSARI S/O SERAJUL ANSARI Resident of Village- Pajiyarawa,
P.S.- Sugauli, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 04-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
08.01.2023 in connection with Sugauli P.S. Case No. 517/2022,
F.I.R. dated 05.12.2022, for the offences punishable under
Sections 341, 323, 307, 354, 379, 504, 506, 34 of the IPC.

According to prosecution case, the petitioner is alleged
to have assaulted the informant by means of bricks on his chest
and pressed his neck with an intention to kill him.

Learned counsel for the petitioner submits that the
petitioner has falsely been 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.
He further submits that the allegation against the petitioner is



that he has assaulted on the chest of the informant by means of bricks and pressed his neck but the injury report of the informant suggest that injury no.1 is simple in nature and injury no.2 and 3 are kept reserved but till date final injury report has not come and the police without final injury report, submitted the charge sheet against the petitioner and the petitioner is in custody since 08.01.2023.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner has carried one criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Motihari, East Champaran in connection with Sugauli P.S. Case No.517/2022, 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 witnesses, 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 antecedent, 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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