

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34287 of 2023

Arising Out of PS. Case No.-248 Year-2019 Thana- DUMRA District- Sitamarhi

RAHMAT ANSARI @ MD. RAHMAT ANSARI Son of Saheb Ansari @ Md. Sahebjan Ansari R/o Village - Fatehpur Girmisani, P.S.- Punaura, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Dumra P.S. Case No. 248/2019 registered for the offences punishable under Sections 413, 414, 120B/34 of the Indian Penal Code.

As per prosecution case, co-accused Saddam Ansari @ Kobra was apprehended on the place of occurrence with stolen motorcycle. He disclosed the name of petitioner and other who used to deliver the stolen motorcycles to Nepal border.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. The petitioner is languishing in custody since 13.02.2023 and bears no criminal antecedent. He further submits that the



name of petitioner transpired in this case on the basis of confessional statement of co-accused Saddam Ansari. The petitioner has no concern with the apprehended co-accused persons and no incriminating article has been recovered from the conscious possession of the petitioner. He further submits that charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge sheet has already been submitted in this case and there is no likelihood of tampering with the prosecution evidence and keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Sitamarhi in connection with Dumra P.S. Case No. 248/2019, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the



affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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