

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40428 of 2023

Arising Out of PS. Case No.-680 Year-2022 Thana- BAGHA District- West Champaran

SAIF ALI ANSARI Son of Farman Mian Resident of village-Tunhiya
Bishunpur, Police Station-Manuapul Bettiah, District-West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner is in custody since 13.11.2022 in connection with Bagaha (Pathkauli) P.S. Case No. 680 of 2022 for the offence punishable under Sections 379, 411 of the I.P.C. lodged on 28.09.2022 by the informant Hamid Shekh.

As per the prosecution story, the informant took the motorcycle of his relatives to go to Registry Office and parked the same in front of the office of DSP, Bagaha and when he returned, the bike was missing. Accordingly, the F.I.R.

Subsequently, three accused persons, namely Dilip Kumar, Manish Ram and Farman Mian were arrested and on their confession, this petitioner also came into picture.

Learned counsel for the petitioner submits that he is in



custody since 13.11.2022 (as stated in paragraph 10 in the bail application) neither he was put on T.I. Parade nor there is any recovery from his possession.

Learned APP opposes the prayer for bail stating that he has criminal antecedent.

Considering the aforesaid submission put forward by the learned counsel for the petitioner and his period of custody as also there is no recovery from his possession, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of Sri G.N. Dubey, 1st A.C.J.M Bagaha, West Champaran. in connection with Bagaha (Pathkauli) P.S. Case No. 680 of 2022 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his 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 reason will entail cancellation of his bail bond by the Trial Court itself;



(iii) the petitioner shall appear before the concerned police station every month for one year to mark his attendance;

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

(v) the petitioner shall desist from committing any criminal offence again, 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)

Jagdish/Jyoti/-

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