

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56474 of 2023**

Arising Out of PS. Case No.-51 Year-2021 Thana- SIGAUDI District- Patna
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AHMAD @ MD. AHAMAD ALI ANSARI S/O MD. QUTBUDDIN ANSARI R/O
Sigori, Paliganj, P.S.- Sigori, Distt.- Patna-801110.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mohammad Minnatullah

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA

ORAL ORDER

3 13-12-2023

Heard Md. Mohammad Minnatullah, learned counsel

for the petitioner and Mr. Anuj Kumar Shrivastava, learned A.P.P.

for the State.

The petitioner apprehends his arrest in connection
with Sigori P.S. Case No. 51 of 2021 registered for the offence
under Sections 147, 149, 151, 152, 186, 188, 323, 333, 337, 338,
379, 427, 436, 353, 307, 504 of the Indian Penal Code and Section
27of the Arms Act.

The allegation against the petitioner is that he
intercepted the police officials and created hindrance in
discharge of their official duties.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this 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 from perusal of the F.I.R., it appears that there is no specific allegation of assault or any overt act is attributed to the petitioner rather there is general and omnibus allegation leveled against the accused persons including the petitioner and some unknown persons they have been identified by the CCTV footage. Moreover, co-accused, Md Imteyaz has already been granted bail by a co-ordinate Bench of this Court vide order dated 31.08.2022 passed in Cr. Misc. No. 32873 of 2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner, in the event of his arrest or surrender before the court below within a period of four weeks, 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 learned A.C.J.M.-III, Danapur in connection with Sigori P.S. Case No. 51 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C. as also with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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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