

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58901 of 2022

Arising Out of PS. Case No.-81 Year-2022 Thana- ABADPUR District- Katihar

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Aansarul@ Md Aansarul, S/o Tajemul @ Tajnul Haque, Resident of Village-
Bhawanipur, P.S- Abadpur, Distt- Katihar

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 323, 324, 379, 504,
506/34 of the Indian Penal Code.

According to prosecution case, in brief, is that on
09.06.2022 the informant went to the shop of Md. Muslim and
when she was returning from the shop of Md. Muslim the F.I.R.
named accused persons lacerated with lathi, talwar and danda
surrounded the informant and threatened her to kill, if, she will
not withdraw the case bearing Abadpur P.S. Case No. 34 of
2022. The accused Md. Ansarul assaulted the informant by
Talwar due to which she sustained head injury and the other
accused persons also assaulted to the informant by lathi, danda



and iron rod. The accused also torn the Saree and blouse of the informant and accused Meraj snatched Rs.2,000/- from the possession of the informant.

Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that as per allegation in the F.I.R. that the petitioner has assaulted with sword to the informant but the injury report of the informant does not support the allegation as alleged in the F.I.R. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 12.07.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries 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 Court below where the case is pending in connection with Abadpur P.S. Case No. 81 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 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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