

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67198 of 2023

Arising Out of PS. Case No.-423 Year-2023 Thana- BANKA District- Banka

PRAWEJ ANSARI @ PRAVEJ ANSARI Son of Late Sayud Ansari R/o vill -
Khanjarpur, P.s. - Barari, Distt. - Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arbind Kumar Singh

For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Banka P.S. Case No. 423 of 2023 registered on 22.06.2023
lodged under Sections 420, 467, 468, 471, 120B of the I.P.C.

3. As per the prosecution case, F.I.R. has been lodged
against three named accused persons including the petitioner.

4. Counsel for the petitioner submits that on secret
information, the raid has been conducted in which the petitioner
and two other accused persons were arrested. From the
possession of the petitioner, two cheques, one driving license
and two mobile phones were recovered. Counsel further submits
that recovery of the said items basically is not an allegation. The
only specific allegation made in the F.I.R. is that all the three
arrested persons including the present petitioner is basically a



cyber-thug against whom there is already case pending. Counsel submits that pendency of this case is not an offence particularly, when person is defending his case.

5. Counsel submits that the name of the petitioner has been figured in this case only and only due to the reason that there is earlier case pending against him. Counsel further submits that from rejection order, it transpires that charge-sheet has been filed without any material but, only to stop the privileges under Section 167(2) of the Cr.P.C. of the petitioner.

6. Counsel further submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 23.06.2023 having one criminal antecedent of 2016 in which he is on bail

7. Learned counsel for the State opposes the prayer for bail.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Banka in connection with P.S. Case No. 423 of 2023 subject to the following conditions as well as the condition laid down under section



437(3) of Cr.P.C.

(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 bonds by the Trial Court itself;

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

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

(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 the bail bonds.

9. With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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