

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69571 of 2023

Arising Out of PS. Case No.-253 Year-2023 Thana- UCHKAGAON District- Gopalganj

DILSAD ANSARI @ GOPAL SON OF SALAMAT ANSARI RESIDENT
OF VILLAGE - DUMARIYA, P.S. - UCHKAGAON, DISTRICT -
GOPALGANJ

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhangi Pandey, Adv

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Uchkagaon P.S. Case No. 253 of 2023 registered on 07.07.2023
lodged under Sections 393 of the Indian Penal Code and 25(1-
B)a/26/35 Arms Act.

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

4. Counsel further submits that petitioner is innocent
and has committed no offence. He further submits that neither
anything has been recovered from the possession of the
petitioner nor he was put on T.I.P. Counsel further submits that
the bail application of the petitioner has been rejected on the



ground that he has played the role of the liner and his photograph has come in the CCTV footage but due to non availability of the mobile network in his shop, he has come outside of this shop for talking with his mobile phone. Counsel further submits that petitioner is in custody since 13.07.2023 having clean antecedent.

5. Learned counsel for the State opposes the prayer for bail and submits that from the rejection order involvement is there.

6. Upon specific query of the Court that whether charge has been framed in this case or not, learned counsel submits that she is not well aware about this fact.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail *after framing of charge* and on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IX, Gopalganj in connection with Uchkagaon P.S. Case No. 253 of 2023 , subject to the following conditions as well as the conditions laid down under Section 437 (3) of the 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.

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

(Dr. Anshuman, J)

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