

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1441 of 2023

Arising Out of PS. Case No.-10 Year-2022 Thana- ISUAPUR District- Saran

=====

MOHARRAM ANSARI @ MUHARRAM ANSARI Son of Ali Mohammad
@ Ali Mohammad R/o Village - Sahwan, P.S.- Isuapur, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Adv.

For the Opposite Party/s : Mrs. Asha Devi, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 15-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
23.02.2022 in connection with Isuapur P.S. Case No.10/2022,
F.I.R. dated 29.01.2022, for the offences punishable under
Sections 363, 366 and 34 of the IPC.

According to prosecution case, the petitioner along
with other co-accused persons are alleged to have kidnapped the
sister of the informant.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been
implicated in the present 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 as alleged in the F.I.R.



He further submits that the victim was recovered and her statement under Section 164 Cr.P.C. was recorded in which she has not stated anything against the petitioner. The medical report of the victim also not suggest any sexual assault against her and the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 23.02.2022.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

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 S.D.J.M., Chapra, Saran in connection with Isuapur P.S. Case No.10/2022, 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)

amit/-

U		T	
---	--	---	--

