

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1763 of 2023

Arising Out of PS. Case No.-274 Year-2021 Thana- BASOPATTI District- Madhubani

Md. Jumman Mansur @ Juman Mansur S/o Hasan Mansur R/o Village- Janki
Nagar, P.S- Basopatti, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Subhash Kumar Jha, Adv.
For the Opposite Party/s	:	Md. Aslam Ansari, APP
For the Informant	:	Mr. Jitendra Kumar Bharti, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 26-04-2023 Heard Mr. Subhash Kumar Jha, learned counsel appearing on behalf of the petitioner, Mr. Jitendra Kumar Bharti, learned counsel for the informant and Md. Aslam Ansari, learned Additional Public Prosecutor for the State.

The petitioner seeks regular bail, who is in custody in connection with Basopatti P.S. Case No. 274 of 2021 registered for the offences punishable under Sections 302, 201 and 120B of the Indian Penal Code.

As per the prosecution case, it is alleged that the FIR named accused persons including the petitioner found involved in making threatening to the deceased on account of previous enmity and, later on, they committed the murder of the son of the informant.



Learned counsel for the petitioner submits that save and except suspicion, that too on account of previous enmity, there is no material suggesting the complicity of the petitioner in the present crime. He further submits that similarly situated co-accused, namely, Md. Chhotu Mansur, Tanveer Mansur @ Md. Tanveer Mansur and Jibul Mansur @ Jiyabul Mansur, have been allowed the privilege of bail by the different Benches of this Court vide orders dated 29.08.2022 and 22.03.2023 passed in Cr. Misc. Nos. 14323 of 2022 and 74757 of 2022. He next submits that the petitioner is in custody since 10.10.2022, and now the charge-sheet has already been submitted and, as such, there is no chance of absconding the petitioner and tampering with the evidence.

On the other hand, learned counsel for the State opposes the bail application and submits that specific allegation has been made that the petitioner along with others have been indulged in giving threatening to the deceased and the complicity of the petitioner has come during the course of investigation. He next submits that the petitioner is also named in two other criminal cases.

Regard being had to the submissions made on behalf of the parties and considering the nature of allegation and the



fact that other co-accused persons have been enlarged on bail, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M.1st Class, Madhubani in connection Basopatti P.S. Case No. 274 of 2021, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in



terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

rohit/-

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

