

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7301 of 2024**

Arising Out of PS. Case No.-148 Year-2023 Thana- ISHAKCHAK District- Bhagalpur

Md Mansoor Khan @ Md. Mansoor Son Of Md. Rahmuzzama Khan Resident  
Of Village Nanaura, P.S.- Keoti Nanaura, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Syed Maslehuddin Ashraf, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      17-02-2024                      Heard Mr. Syed Maslehuddin Ashraf, learned  
counsel for the petitioner and Mr. Sanjay Kumar Sharma,  
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in  
connection with Ishakchak P.S. Case No. 148 of 2023, F.I.R.  
dated 26.07.2023 for the offences punishable under Section 392  
of the Indian Penal Code.

3. According to prosecution case, while the informant  
was on the way to his home from railway station his mobile  
phone was snatched near *pani tanki*.

4. Learned counsel for the petitioner submits that  
petitioner has clean antecedent and he has falsely been  
implicated in the present case. He further submits that petitioner  
has been made accused in the present case merely on the basis



of the disclosure made by the co-accused person, namely, Abhishek. He further submits that except the aforesaid no cogent material has come during the investigation to suggest the involvement of the petitioner in the present occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that petitioner have clean antecedent and name of the petitioner has been transpired on the basis of the disclosure made by the co-accused person, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Chief Judicial Magistrate, Bhagalpur in connection with Ishakchak P.S. Case No. 148 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. 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.

ii. 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.

iii. 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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