

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12070 of 2024

Arising Out of PS. Case No.-523 Year-2022 Thana- RAMNAGAR District- West Champaran

Saif Ali Ansari, Male, aged about 32 years, Son of Farman Mian, Resident of
Village-Chhota Tunia Bishunpur, Ward No. 12, Police Station -Manuapul,
District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 05-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Ramnagar PS Case No. 523 of 2022 instituted for the offences
punishable under Sections 379, 401, 413/34 of the Indian Penal
Code.

3. As per the prosecution case, it is a case of theft of
motorcycle of the informant by the accused persons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case. Petitioner is neither named
in the FIR nor any incriminating articles have been recovered
from the conscious possession of the petitioner and he has not



been put on Test Identification Parade. He has been made accused only on the basis of confessional statement of other co-accused namely, Dilip Kumar. Petitioner is in custody since 09.02.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, seizure list and impugned order of the learned Additional Sessions Judge-1st Bagaha, West Champaran dated 19.09.2023, it appears that the name of the petitioner surfaced from the confessional statement of co-accused namely, Dilip Kumar and similarly situated other co-accused person namely, Kanhaiya Mahto has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 68590 of 2023 vide order dated 19.10.2023, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned S.D.J.M., Bagaha, West Champaran in connection with Ramnagar PS Case No. 523 of 2022, subject to the following conditions:-

(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 threaten 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.

(Ramesh Chand Malviya, J)

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