

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18263 of 2024

Arising Out of PS. Case No.-211 Year-2023 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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1. Md. Zahir Ansari @ Zahir Ahmed S/O Late Nizar Ahmed @ Nisar Ahmad
R/O Village - Kadirabad, Ward No. - 12, P.S. - L.N.M.U., Dist. - Darbhanga
 2. Jahanau Begum @ Nazani Praveen W/O Md. Zahir R/O Village -
Kadirabad, Ward No. - 12, P.S. - L.N.M.U., Dist. - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Baidyanath Prasad, Advocate
For the Informant	:	Mr. Baleshwar Kamat, Advocate
For the State	:	Mr. Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-03-2024 Heard Mr. Baidyanath Prasad, learned counsel for the petitioners, Mr. Baleshwar Kamat, learned counsel for the informant and Mr. Braj Kishore Pd., learned Additional Public Prosecutor appearing on behalf of the State.

2. The petitioners are apprehending their arrest in connection with L.N.M.U. P.S. Case No. 211 of 2023, F.I.R. dated 18.07.2023 for the offences punishable under Sections 341, 323, 307, 325, 504, 506 and 34 of the Indian Penal Code.

3. According to prosecution case, petitioners are said to have assaulted the informant and his family members.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that there is



case and counter case between the parties. He further submits that from a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt act against the petitioners rather general and omnibus allegation against all the accused persons including these petitioners.

5. Learned counsel for the informant as well as learned Additional Public Prosecutor, on the other hand, have vehemently opposed the prayer for bail of the petitioners and submits that in the present occurrence five persons have received the injuries and out of them five, two persons have received the grievous injuries.

6. Considering the aforesaid facts and circumstances, let the petitioners, 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 bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in connection with L.N.M.U. P.S. Case No. 211 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. Petitioners 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 petitioners tamper 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioners. 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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