

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21209 of 2024

Arising Out of PS. Case No.-1015 Year-2023 Thana- BUXAR COMPLAINT CASE District-
Buxar

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Imteyaj Ansari @ Md. Imteyaz Ansari S/O Belal Ansari R/O Village- Kazipur,
P.S- Simari, Distt.- Buxar.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Md. Junes Khan @ Md. Junaid Ansari S/O Late Jannat Khan R/O Village-
Baraki Sarimpur, P.S- Buxar (Industrial, Distt.- Buxar).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satyapal Singh, Advocate

For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA

ORAL ORDER

2 04-04-2024 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No.1015(C) of 2023,
registered for the offence punishable under Sections 406 and
506 of the Indian Penal Code.

3. The prosecution case, in short, is that complainant
and his brother handed over their passport and cash of Rs
1,20,000/- on 01.11.2016 and again cash of Rs.1,20,000/- on



05.12.2016 to Imteyaj Ansari to go to foreign country in presence of witnesses, but Imteyaj Ansari has neither sent them abroad nor he is returning their money and passport. On 01.09.2023 when complainant went to his door with the witnesses he abused and assaulted him and threatened that he would kill him if he came there again. Imteyaj Ansari is Mukhiya of Kazipur and he is a muscle man.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and has falsely been implicated in the present case. He further submits that from perusal of the complaint, it appears that the complainant had alleged in the year 2016 the complainant had gave Rs.1,20,000/- to the petitioner. It is next submitted that the occurrence is of the year 2016, but the complaint has been lodged in the year 2023, after the delay of about seven years. It is further submitted that complainant had not disclosed that in which mode complainant had paid the amount in question to the petitioner.

5. Learned APP for the State, on the other hand vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the



court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Complaint Case No.1015(C) 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 bonds shall be cancelled by the Court below.

(ii) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of anticipatory 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 antecedents, the court below shall take step for cancellation of anticipatory 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)

Prakash Narayan

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