

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24678 of 2024

Arising Out of PS. Case No.-615 Year-2023 Thana- MUFFASIL District- West Champaran

Safiullah Ansari Son Of Late Sattar Ansari @ Late Sattar Mian Village
-Gurmaliya Shiwala Tola, P.S. -Manuapul O.P., District -West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-04-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Bettiah Muffasil (Manuapul O.P.) P.S. Case No.615 of 2023,
lodged on 18.09.2023, under Sections 147/148/149/341/ 323 /
324/307/504/506 of the Indian Penal Code. Later on offence
under Section 302 of the Indian Penal Code was added.

3. As per the prosecution, FIR has been lodged against
13 named accused persons including the present petitioner.
Allegation against the present petitioner that he has assaulted
along with others to the victim and his father.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel



for the petitioner submits that there was a dispute going on between the informant and the accused persons for which earlier also there was a case filed, namely, Bettiah Muffasil (Manuapul O.P.) P.S. Case No.145 of 2022, which is still pending. Counsel submits that there is one criminal case pending against the petitioner in which he is on bail. The petitioner is in custody since 19.09.2023.

5. Learned counsel for the informant and learned counsel for the State vehemently oppose the prayer for bail and submit that there is specific allegation of brutal assault against the present petitioner on the informant.

6. In response, learned counsel for the petitioner submits that there is no allegation against the petitioner that he has assaulted the deceased.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail **only after framing of the charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Bettiah Muffasil (Manuapul O.P.) P.S. Case No. 615 of 2023, subject to the conditions as laid



down under Section 437(3) of the Code of Criminal Procedure with other 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 threat 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.

(Dr. Anshuman, J)

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