

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24171 of 2024

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

1. Baidullah Ansari @ Abdullah Ansari SON OF Late Sattar Ansari @ Late Sattar Mian Village- Gurmaliya Shiwala Tola, P.S.- Manuapul O.P., District -West Champaran
2. AFROZ ANSARI SON OF SAFIULLAH ANSARI Village- Gurmaliya Shiwala Tola, P.S.- Manuapul O.P., District -West Champaran

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Javed Aslam, Advocate
For the Opposite Party/s :	Mr.Ram Sumiran Rai, APP
For the Informant :	Mr. Mr. Shail Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 10-05-2024 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.

2. The petitioners seek 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. Subsequently, section 302 of the IPC was also added.

3. As per the prosecution case, the FIR has been lodged against 13 named accused persons including the present petitioners levelling accusation therein that all the accused persons in connivance with each other have reached at the house of the informant and started assaulting him and making him injured. The specific allegation of assault with an iron rod and



farsa on the informant and his son, is against co-accused Saifullah Ansari and Naushad Ansari.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He further submits that there is no specific allegation against the present petitioners. He further submits that there is one criminal antecedent against petitioners in which they are on bail. Petitioner no.1 is in custody since 07.11.2023 whereas petitioner no.2 is in custody since 19.09.2023. It is further submitted that similarly situated co-accused persons have been granted bail vide orders dated 04.04.2024 and 01.05.2024 passed in Criminal Miscellaneous No. 24678/2024, Criminal Miscellaneous No. 21904/2024 and Criminal Miscellaneous No. 25126 of 2024 respectively.

5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, 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 petitioners who shall provide official document to show his *bona fide*;

(ii) the petitioners 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 petitioners shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioners 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 petitioners 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)

Ashwini/-

U		T	
---	--	---	--

