

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25652 of 2024**

Arising Out of PS. Case No.-643 Year-2020 Thana- KHAGARIA District- Khagaria

Mustafa Mansuri @ Mustafa Mansuri @ Mustafa @ Mustav Son of Jaggu  
Mansuri @ Jaggu Resident of Village- Babu Tola, Police Station- Falka, Dist.-  
Katihar (Bihar), PIN CODE - 854114

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rajesh Roy, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      09-05-2024                      Heard Mr.Rajesh Roy, learned counsel for the  
petitioner and Mr.Sanjay Kumar, learned Additional Public  
Prosecutor for the State.

2. The petitioner is apprehending his arrest in  
connection with Khagaria (Gangaur) P.S.Case No.643 of 2020,  
corresponding to G.R.No.2632 of 2020, FIR dated 02.09.2020  
registered for the offences punishable under Section 379 of the  
Indian Penal Code.

3. The FIR of the occurrence of theft is against  
unknown.

4. Learned counsel for the petitioner submits that the  
petitioner has has clean antecedent and he has falsely been  
implicated in the present case. Petitioner is not named in the



FIR. The name of the petitioner has been transpired during investigation on the basis of the disclosure/confessional statement made by the co-accused person, namely, Manoj Paswan. Further submits that except the aforesaid, no other material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, petitioner is not named in the FIR and name of the petitioner has been transpired during investigation on the basis of the disclosure/confessional statement made by the co-accused person, 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 bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Khagaria (Gangaur) P.S.Case No.643 of 2020, corresponding to G.R.No.2632 of 2020, 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers 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 petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below shall take step for cancellation of 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)**

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