

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26222 of 2024**

Arising Out of PS. Case No.-153 Year-2023 Thana- GOPALPUR District- Gopalganj

Wasir Ansari S/o- Kasim Ansari R/o- Village- Pandey Khareya, PO-
Gopalganj, PS-Gopalganj, Distt- Gopalganj, Bihar- 841503

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Akshay Ashish, Advocate
For the State	:	Mr. Pranav Kumar, APP
For the Informant	:	Mr. Anand Vardhan, Advocate

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

2 06-05-2024 Heard Mr. Akshay Ashish, learned counsel for the petitioner, Mr. Anand Vardhan, learned counsel for the informant and Mr. Pranav Kumar, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Gopalpur P.S. Case No. 153 of 2023, F.I.R. dated 04.07.2023 for the offences punishable under Sections 341, 323, 324, 307, 504, 506 and 34 of the Indian Penal Code.

3. According to prosecution case, the petitioner with other co-accused assaulted the informant and her family members.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that from a bare perusal of the FIR it appears that there is allegation against the petitioner that he has assaulted to the informant and her family members. He further submits that although the family members of the informant have received the injuries but the injury report of the injured persons suggests that all the injuries are simple in nature. He further submits that there is case in counter case between the parties.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, there is case and counter case between the parties and injuries received upon the injured persons are simple in nature, 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 the learned Additional Chief Judicial Magistrate, V, Gopalganj in connection with Gopalpur P.S. Case No. 153 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 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 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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