

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30734 of 2024

Arising Out of PS. Case No.-1074 Year-2023 Thana- NAGAR District- Vaishali

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Mohd Raja @ Raja Ansari S/o Mohd. Shahid Kabadi @ Mohd. Sahid Ansari
R/o village-Asiana colony, sanchipatti begmali, road no-09 ward no-10, P.S. -
Town, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-07-2024 Heard Mr. Hemant Kumar, the learned counsel for

the petitioner and Mr. Sanjay Kumar Tiwary, the learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in

connection with Town PS Case No. 1074 of 2023, FIR dated

29.12.2023, registered for the offences punishable under

Sections 147, 149, 341, 504, 506 and 447 of the Indian Penal

Code and under Section 3/4 of Explosive Act.

3. According to the prosecution case, the petitioner

along with other co-accused person came at the house of

informant and started abusing him and upon his protest, the

petitioner attacked him with sutli bomb, but the bomb did not

explode.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case and the allegation levelled in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that wife of the informant namely, Gulshan Khatoon, has filed an application on 09.01.2024 before the SHO, Town Police Station, Hajipur stating therein that the informant has filed false case against the petitioner and his family members. In fact, the informant himself has planted the bomb, informed the police and lodged the present false case against the petitioner and his family members. He lastly submits that the co-accused person namely, Mohammad Ali @ Mohammad Ali Ansari has been granted the privilege of anticipatory bail vide order dated 04.04.2024 passed in Cr. Misc. No. 21030 of 2024.

5. The 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 and circumstances, let the petitioner, above-named, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks from the date of receipt of the order, be released on



anticipatory 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 Chief Judicial Magistrate, Vaishali at Hajipur, where the case is pending in connection with **Town PS Case No. 1074 of 2023**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the learned trial Court and shall remain physically present as directed by the learned trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned trial Court.

(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 learned trial Court 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 learned trial Court 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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