

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70208 of 2024

Arising Out of PS. Case No.-533 Year-2023 Thana- BUXAR MUFFSIL District- Buxar

Mahabub Ansari @ Mahboob Ansari Son of Sahadat Ansari R/O Vill.-
Katgharwa, P.S.- Buxar (M), Dist.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr.Kamal Deo Sharma, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 03-10-2024 Heard the learned Advocate for the petitioner and the
learned APP for the State.

2. The petitioner seeks regular bail, who is in custody in connection with Buxar (Muffasil) P.S. Case No. 533 of 2023, registered for the offence punishable under Sections 341, 323, 504, 506 and 354(b) of the Indian Penal Code.

3. Allegedly, all the accused persons with a view to put pressure upon the informant and others to withdraw the earlier case, assaulted and outraged the modesty of the informant and her daughter.

4. Learned Advocate for the petitioner contended that both the parties are close family members and the informant is none else but the *bhabhi* (sister-in-law) of the petitioner. The cases, which has been narrated in paragraph no. 3 of the bail



application, are arising out of the dispute which are pending between both the family members. There is a counter version of the present case being Buxar (Muffasil) P.S. Case No. 534 of 2023. It is next contended that even as per the CCTV footage, which is taken note of in the impugned order, it only suggest that this petitioner had caught hold the hand of the informant and nothing more than that. Be that as it may, the petitioner has been incarcerated since 29.07.2024 and the investigation of the crime is complete.

5. On the other hand, learned APP for the State vehemently opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation and the relationship between the parties, coupled with the long standing enmity between the family members, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Court, POCSO Act, Buxar in connection with Buxar (Muffasil) P.S. Case No. 533 of 2023, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as



follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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