

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2970 of 2024

Arising Out of PS. Case No.-139 Year-2023 Thana- SITAMARHI District- Sitamarhi

Md Mudim Ansari Alias Md Modim Mansuri Alias Md. Mudeem Mansoori
SON OF Sah Mohammad Resident of village- Bhairo Kothi, P.S.-
SITAMARHI, DISTRICT- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar, Adv.
For the Opposite Party/s : Mr.Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sitamarhi P.S. Case No. 139 of 2023 lodged under Sections 399,
402 and 413 of the I.P.C. read with Section 25(1-b)a, 26 and 35
of the Arms Act.

3. As per the prosecution case, the recovery of one
loaded country made pistol, Samsung mobile, one iron Khanti,
two rinches, one screw drive, one small knife and one TVS
motorcycle has alleged to be made from the possession of the
accused, namely, Ishteyaq Nadaf and upon whose disclosure, the
name of other accused persons have been figured in this case.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He submits that nothing has been recovered from the possession of the petitioner.

5. Counsel also submits that no offence is made out under any of the provisions under which case has been lodged. He further submits that petitioner is in custody since 07.05.2023 and there is one criminal case pending against him in which he is on bail.

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

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi P.S. Case No. 139 of 2023, subject to the following conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

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

(iv) the petitioner 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 petitioner 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.)

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