

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.3636 of 2024**

Arising Out of PS. Case No.-102 Year-2022 Thana- DEWARIA District- Muzaffarpur

Mabul Ansari @ Imamul Ansari Son Of Tajmul Ansari Resident Of Village-  
Chainpur Murgiya Chowk, Ps- Deoria, Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Nachiketa Jha, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

4      09-04-2024                      Heard learned Counsel for the petitioner and learned  
APP for the State.

2. The petitioner apprehends his arrest in connection with Deoriya P.S. Case No. 102 of 2022 for the offence registered under sections 341, 323, 504, 354(A)(B)(C)(D), 376/511/34 of the Indian Penal Code lodged on 01.07.2022 by the informant Salma Khatoon.

3. As per the prosecution story, the informant alleged that while she and her family members were busy near her house, the accused persons entered and tried to force upon the daughter Nusrat Khatoon. Upon alarm, Mabul Ansari was caught but was released by the other accused persons who



threatened her of dire consequences.

4. Learned Counsel for the petitioner has drawn attention to the dates inasmuch as the occurrence is of 15.04.2021 while the F.I.R. was lodged 14 months later on 16.06.2022. He has further taken this Court to Annexure-2 show that there was a dispute between the informant and the accused sides and scuffle also took place but the panchayat tried to solve the matter, informant however adamant in lodging the F.I.R. which has resulted into the case. It is further submission that further accused persons have been already granted relief by the concerned District Court its.

5. Learned APP for the State opposes the prayer for anticipatory bail stating that the other accused persons cannot be acquitted with this petitioner inasmuch as allegation against them is of allowing this petitioner to escape once he was caught.

6. Considering the fact that there is inordinate delay of 14 months in lodging of the F.I.R., no reason has been assigned this petitioner do not have criminal antecedent and he will diligently appearing in trial, this Court is inclined to extend him the privilege of anticipatory bail with condition.

7. Let the petitioner in the event of arrest or surrender



within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. 1<sup>st</sup> Class (West), Muzaffarpur, Court No.1 in connection with Deoriya P.S. Case No. 102 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(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 bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(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.

**(Rajiv Roy, J)**

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