

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19993 of 2025

Arising Out of PS. Case No.-319 Year-2022 Thana- MOTIHARI TOWN District- East
Champaran

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Irfan Ansari @ Irfan S/O Alam Ansari @ Alim Ansari @ Aalim Ansari @
Alam Mian R/V- Agarwa, P.S- Motihari Town, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Rathore, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-04-2025 Learned counsel for the petitioner is directed to

correct the Paragraph No. 5 of the bail petition within the course

of the day.

2. Heard Mr. Kundan Rathore, learned counsel for
the petitioner and Mr. Satyendra Prasad, learned Additional Public
Prosecutor for the State.

3. The petitioner is apprehending his arrest in
connection with Motihari Town P.S. Case No. 319 of 2022, F.I.R.
dated 04.05.2022 for the offences punishable under Sections 147,
148, 149, 341, 342, 186, 332, 333, 353, 307, 354 and 427 of the
Indian Penal Code.

4. According to prosecution case, the informant
along with police

5. Learned counsel for the petitioner submits that



petitioner is innocent and he has falsely been implicated in the present case due to previous criminal antecedents of the petitioner. From the perusal of the F.I.R. it appears that there is no specific allegation of any assault or overt act against this petitioner rather there is general and omnibus allegation against all the accused persons including this petitioner.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the F.I.R. and apart from that the petitioner carries three criminal antecedent other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in the pending matter.

7. Considering the aforesaid facts that although the petitioner has been named in the F.I.R. but there is no specific allegation of any assault or overt act against this petitioner rather there is general and omnibus allegation against all the accused persons including this petitioner, let the petitioner, above named, in the event of 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 Chief Judicial Magistrate, Motihari in connection with Motihari Town P.S. Case No. 319 of 2022,



subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 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)

Jyoti Kumari/-

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