

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73485 of 2024

Arising Out of PS. Case No.-223 Year-2020 Thana- VAISHALI District- Vaishali

Md. Mokhtar @ Md. Mokhtar Ansari @ Mohammad Mukhtar Ansari Son of
Mansur Ali @ Mansoor Alam R/O Village- Chandpur Fatah, PS- Patepur,
District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Bela Singh, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 29-01-2025 Heard Mrs. Bela Singh, learned counsel for the

petitioner and Mr. Ram Priya Sharan Singh, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Vaishali (Belsar O.P.) P.S. Case No. 223 of
2020, F.I.R. dated 10.07.2020 for the offences punishable under
Section 392 of the Indian Penal Code.

3. According to prosecution case, three miscreants
intercepted the informant while he was returning to his home
and on the point of pistol they looted his mobile, cash from his
pocket and bag containing Rs. 4,50,000/- and also assaulted him
and thereafter fled away.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the



present case. She further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of the confessional statement of the co-accused, namely, Md. Yasin and except the confessional statement of the co-accused, no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries three criminal antecedents 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 all the three cases.

6. Considering the aforesaid facts and circumstances, 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 Additional Chief Judicial Magistrate-VI, Vaishali at Hajipur in connection with Vaishali (Belsar O.P.) P.S. Case No. 223 of 2020, subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 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)

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