

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45858 of 2015

Arising Out of PS.Case No. -897 Year- 2010 Thana -SARAN COMPLAINT CASE District-
SARAN

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Md. Sattar @ Sattar Miyan S/o Khalil Miyan Resident of Village Mirdaha
Sonepur, Adam, Police Station Sonepur, District Saran.

.... Petitioner

Versus

1. The State of Bihar.
2. Prashuram Sah S/o Binda Sah Resident of Village Bharpura, P.S.
Sonepur, District Saran.

... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Najmul Hoda

For the Opposite Party/s : Mr. Md.Sufiyan (App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA

ORAL ORDER

2 02-11-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under sections 341, 323 and 392 of the Indian Penal Code and that in the complaint petition the allegation of assault is against co-accused Sujeet Kumar which also does not stand substantiated in absence of the injury report, this Court on account of the fact that the petitioner also claims to be the Tempoo driver alike the complainant and that he has got no criminal antecedent would direct that if the petitioner, Md. Sattar @ Sattar Miyan, surrenders before the court below within a period of four weeks from today, he shall 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 Sri Vivek Rai, Judicial Magistrate, 1st Class, Chapra, Saran in Complaint Case No. 897/2010, Tr.No.

1462/2015, subject to the following conditions:

(i) That the court below shall make verification of criminal antecedent of the petitioner and if it is found that he is accused in any other criminal case, he shall not be granted bail and would be taken into custody.

(ii) That both the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the Court if there is any change in the address of the petitioner.

(iii) That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

(iv) That the petitioner will be well represented on each and every date of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

surendra/-

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(Mihir Kumar Jha, J)