

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14744 of 2015

Arising Out of PS.Case No. -113 Year- 2014 Thana -MAHISI District- SAHARSA

=====

Md. Ahmad @ Md. Amzad @ Md. Amzad Alam @ Md. Amzad Ahmad
S/o- Md. Zafu @ Md. Zafar, resident of village- Rajanpur, P.S.- Maheshi,
District- Saharsa

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate

For the Opposite Party/s : Mr. U.L.Verma, APP

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 28-05-2015

Heard the parties.

The petitioner seeks bail in a criminal prosecution registered under Sections 307/34 and some other allied offences of the Indian Penal Code.

Though the petitioner, besides four other persons, is named in the first information report vide Annexure-1 as an accused, but taking into consideration the fact that there is specific allegation against co-accused Bikauallah and Shakil of assaulting the informant and accused Bikauallah is alleged to have given a knife blow on his stomach but the petitioner is not alleged to have assaulted the informant and further taking into consideration the fact that the petitioner is in judicial custody since 07.01.2015 and he is said to be the first offender, his prayer for bail is allowed. The above named petitioner is ordered to be released on bail on furnishing bail bond of Rs.25,000/-(Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Saharsa in connection with Maheshi P.S.Case No. 113 of 2014, subject to the following conditions:

(A) one of the bailors must be a government servant or a close family member or a close relation of the petitioner who will file an affidavit in the court below showing his/her relationship with the petitioner,

(B) if the petitioner is found involved in same and similar nature of cases in future, then in that case, the informant/prosecution shall be at liberty to file a petition for cancellation of bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned, and

(C) the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every dates, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Prasad Verma, J)

Tahir/-

U		T	
---	--	---	--