

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17942 of 2015

Arising Out of Kuchaikot P.S. Case No. -165 Year- 2014 Thana -KUCHAIKOTE District-
GOPALGANJ

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Ashfaq Ahmad @ Asfaq Ahmad, Son of Mumtaz Ahmad, resident of
Village- Sirisiya (Bazar), P.S.- Kuchaikot, Dist. - Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shafiur Rahman, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Roy-I, (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 13-05-2015

Heard learned Counsel for the petitioner and the State.

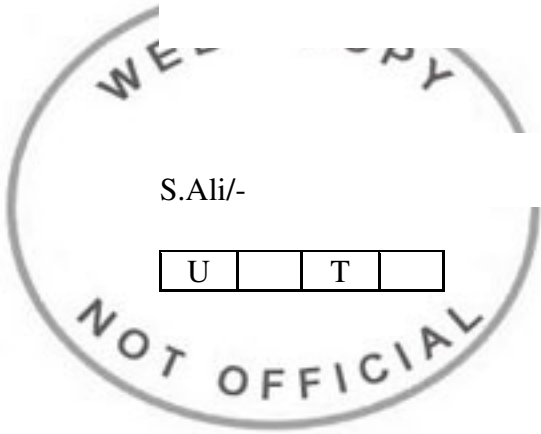
The petitioner's application for regular bail was refused by the order dated 23.1.2015 passed in Cr. Misc. 35773 of 2014, and, thereafter, he moved the Hon'ble Supreme Court where he withdrew the petition with liberty to renew his prayer for bail before the High Court.

The counsel for the Petitioner submits that even though, the Petitioner named in the First Information Report as an assailant of the injured but fact of the matter is that the Injured had sustained only injury on the head which was simple in nature as also there is a counter version of the occurrence which took place on account of land dispute. Further submission is that there is only one other case pending against the Petitioner which is more or

less, connected between the Parties.

Having considered the period of custody i.e. the Petitioner has remained in custody since July, 2014, let the petitioner above named, be released on bail on furnishing bail bond of Rs.5,000/-(Five thousand) with two sureties of the like amount each or any other surety to be fixed by the court concerned to the satisfaction of learned Chief Judicial Magistrate, Gopalganj, in connection with Kuchaikot P.S. Case No. 165 of 2014, subject to the conditions, (i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner. (ii) 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. (iii) That the Petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse. (iv) That the Petitioner will be

well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.



(Anjana Prakash, J)