

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18895 of 2015

Arising Out of PS.Case No. -92 Year- 2005 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

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Jahir Madari @ Jahir, son of Inshan Madari, resident of village- Dumri
Baju, P.S.- Patahi, District- East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 09-09-2015 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Madhuban
P.S. Case No.92 of 2005 registered under Sections 148, 149,
353A, 332, 333, 324, 326, 307, 120B and 121A of the Indian
Penal Code besides Sections 25(1-B)A, 26, 27, 35 of the Arms
Act, Section 17 of the Criminal Law Amendment Act and Sections
3/4 of the Explosive Substance Act.

The accusation is that the extremists in large number
attacked at Madhuban Bank, Madhuban Police Station and Block
Office. There was firing and counter firing in which one extremist
and one bank guard were killed. The name of this petitioner has

been figured in this case on the basis of the diary which was found at the place of occurrence.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. that the petitioner was not caught on the spot. The name of the petitioner has been figured in this case only on the basis of the name as mentioned in the diary, which was found at the place of occurrence. The petitioner is in jail custody since 13.02.2014. It is further submitted that the co-accused, Abhimanyu alias Rajendra Jee alias Umesh Kumar, whose name has also been figured in this case on the basis of the name as mentioned in the diary, which was found at the place of occurrence, has already been granted bail by this Court vide order dated 25.04.2014 passed in Criminal Misc. No.10564 of 2014.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Sikrahana at Motihari, East Champaran, in connection with Madhuban P.S. Case No.92 of 2005. Out of the two sureties, one must be the close relative of the petitioner, who will file an affidavit showing

his/her relation with the petitioner and further the petitioner shall remain present on each and every date during the course of the trial in the court below. If the petitioner fails to remain present on two consecutive dates during the course of the trial without any reasonable cause being shown, the court concerned shall be at liberty to take steps for cancellation of his bail bonds.

(Rajendra Kumar Mishra, J)

P.S./-

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