

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48939 of 2014

Arising Out of PS.Case No. -99 Year- 2014 Thana -SULTANGANJ District- PATNA

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1. Aftab Alam, son of Ahmad Hussain @ Ballu Painter, resident of
Mohalla - Pathan Toli, P.S. - Alamganj, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rashid Zafar, Advocate

For the Opposite Party/s : Mr. Shardanand Jha, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2/ 03-03-2015

Heard learned counsel for the Petitioner and the
State.

The Petitioner seeks bail in a case instituted for the
offence under Section(s) 307, 302, 120-B Indian Penal Code and
Section 27 of the Arms Act.

Considering that there is no specific overt act alleged
against the Petitioner, who has fair antecedents, and his brother,
Noor Alam, undertakes his responsibility, let the Petitioner, above
named, be released on bail on furnishing bail bond of ₹5,000/-
(Five Thousand) with two sureties of the like amount each or any
other surety to be fixed by the Court below to the satisfaction of
Sri Prabhakar Jha, Judicial Magistrate, 1st class, Patna City, Patna,
in connection with Sultanganj P.S. Case No.99 of 2014, subject to
the conditions:

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- (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 and another bailor shall be the brother of the Petitioner. The bailors will undertake to furnish information to the court about any change in the address of the petitioner,
 - (ii) That the affidavit shall clearly state that the petitioner is not an accused in any other case and, if he is, he shall not be released on bail,
 - (iii) That the bailors shall also state on affidavit that they 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 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, and
 - (v) 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.

In the nature of allegation, the petitioner is directed to appear before the Sr. Superintendent of Police, Patna, within

fifteen days of his release with a copy of this order and every two weeks thereafter for the next six months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.

JA/-

(Anjana Prakash, J)

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