

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25112 of 2016

Arising Out of PS.Case No. -434 Year- 2015 Thana -BODHGAYA District- GAYA

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Md. Mubarak @ Munna Son of Late Jasimuddin resident of village - Sirish
Bhopatpur, Police Station Barun, District - Aurangabad ... Petitioner.

Versus

The State of Bihar Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. M.K.Khare(App)

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CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL ORDER

2 13-06-2016

Heard Mr.Manish Kumar, learned counsel

appearing for the petitioner as well as learned additional public
prosecutor.

The petitioner seeks regular bail in connection
with Bodh Gaya P.S.Case No. 434/2015 under Section 364,
302,201,120(B) and 34 of the Indian Penal Code.

It has been submitted by the learned counsel for
the petitioner that the petitioner has not been named in the first
information report and his name has surfaced on the basis of the
statement of co-accused. It has also been submitted that all the
accused persons named in the first information report have been
granted anticipatory bail by this Court in Cr.Misc.No. 9256/2016,
Cr.Misc.No.12400/2016 and Cr.Misc.No.15328/2016. The learned
counsel has also pointed out that the petitioner has no criminal
antecedent and he has been falsely implicated.

The learned additional public prosecutor has opposed the prayer of bail.

In view of the facts and circumstances of the case and after considering the submissions, let the above named petitioner 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 Learned Chief Judicial Magistrate, Gaya in connection with Bodh Gaya P.S.Case No.434/2015 subject to the following conditions:

- (a) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court;
- (b) The petitioner shall be well represented on each date in the court below and his failure to do so on two sequential dates shall entail cancellation of his bail bonds;
- (c) The petitioner shall abide by the above conditions scrupulously and in case of violation of any of the conditions, the prosecution would be at liberty to move the Court for cancellation of bail.

(V. Nath, J)

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