

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33476 of 2016

Arising Out of PS.Case No. -19 Year- 2016 Thana -MAJHAHGARH District- GOPALGANJ

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Md. Shamim @ Shamim, Son of Hasan Imam, resident of village-
Bhojpurwa, P.S.- Manjhagarh, District- Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Mukesh Kumar Singh, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 24-08-2016 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 399, 402 and 414 of the Indian Penal Code and Sections 25(1-b) a, 26 and 35 of the Arms Act registered in connection with Manjhagarh P.S. Case No. 19 of 2016.

3. It is submitted that the petitioner has been falsely implicated merely on the basis of the confessional statement of co-accused Jawed Akhtar who was arrested at the spot. Petitioner claims clean antecedents.

4. Having regard to the entirety of the facts and circumstances of the case, as such, in the event of the arrest or surrender of petitioner before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Manjhagarh P.S. Case No. 19 of 2016, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also

subject to the following further conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) The petitioner shall cooperate with the investigation and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iii) The petitioner shall remain physically present on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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