

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34039 of 2016

Arising Out of PS.Case No. -330 Year- 2015 Thana -CHAPRA MUFFASIL District- SARAN

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Anwar Kuraisi, S/o Md. Salim Kuraisi, resident of Mohalla- Sabebganj
Chik Toli, P.S.- Chapra Town, Distt.- Saran at Chapra.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Basant Kumar Singh, Adv.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 05-09-2016 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 302, 201/34 of the Indian Penal Code registered in connection with Chapra Mufassil P.S. Case No. 330 of 2015.

3. It is submitted that the petitioner has been falsely implicated and the offences alleged against the petitioner are not made out. Co-accused Sanjay Prasad and Vikash Kumar, who have been arrested, have confessed their guilt before the police admitting that they had committed murder of the driver and khalasi of the pickup van. Apart from the present F.I.R., another F.I.R. in Dariyapur P.S. Case No. 278 of 2015 dated 07.12.2015 was also instituted and the petitioner has already been granted anticipatory bail in the earlier case in Criminal Miscellaneous No. 17635 of 2016.

4. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or surrender 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 bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Chapra Mufassil P.S. Case No. 330 of 2015, 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 in Court 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)

Md. Ibrarul/BT

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