

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6528 of 2017

Arising Out of PS. Case No. -218 Year- 2016 Thana -SUGAULI District- EASTCHAMPARAN
(MOTIHARI)

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Md. Masoom, son of Shamim Akhtar, resident of Village- Jaisinghpur,
Police Station- Turkauliya, District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Uma Kant Tiwary, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 22-02-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 15.10.2016 in connection with Sugauli P.S. Case No. 218 of 2016 for the offences alleged under Sections 147, 148, 149, 323, 307, 353, 188, 295, 504, 506 of the Indian Penal Code and Sections 3 and 4 of the Explosive Substances Act.

3. It is submitted that the petitioner has been falsely implicated in connection with the offence committed by a mob of 500 persons. Similarly situated co-accused namely, Tunna Ansari, Bablu Mian, Lal Babu Ansari and Harun Ansari have been granted bail by this Court in Cr. Misc. No. 5469 of 2017. The petitioner claims clean antecedents.

4. Having regard to the entirety of the facts and circumstances of the case, let the petitioner above named 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, East Champaran at Motihari in connection with Sugauli P.S. Case No. 218 of 2016 with the



following conditions:

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

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That 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.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, 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.

(Vikash Jain, J)

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