

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19515 of 2017

Arising Out of PS.Case No. -794 Year- 2016 Thana -PHULWARI District- PATNA

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1. Md. Kaish Anwar @ Kaish Anwar Son of Md. Ibrar Ahmad @ Md. Ayub, resident of Mohalla - Gulista, Phulwarisharif, Police Station - Phulwarisharif, 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

For the Opposite Party/s : Mr. Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 03-05-2017 Heard the parties.

The petitioner seeks regular bail in connection with Phulwarisharif P.S.Case No.794 of 2016, G.R.8082 of 2016, registered for offences punishable under Sections 147, 148, 149, 326, 307 and 324 of the Indian Penal Code.

Allegation against the petitioner is that he has only ordered to the other accused, who fired upon the informant.

It is submitted on behalf of the petitioner that he has been falsely implicated in this case just because he is father of the other co-accused and only an ornamental allegation has been alleged against him. He is in custody for about four months. It is further submitted that he has no criminal antecedent.

Heard learned A.P.P. also, who has opposed the prayer for



bail.

Having heard both sides and in view of no criminal antecedent as well as he is only order-giver, as such, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Smt. Shema Eram, J.M.1st Class, Patna in connection with Phulwarisharif P.S.Case No.794 of 2016, G.R.No.8082 of 2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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