

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31854 of 2017

Arising Out of PS.Case No. -122 Year- 2016 Thana -PHULWARI District- PATNA

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Md. Amir @ Wasif, Son of Md. Ashraf, Resident of Mohalla-Bauli, P.S.-
Phulwarisarif, District-Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rakesh Kumar Sharma, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 29.09.2016 in connection with Phulwarisharif P.S. Case No. 122 of 2016 for the offences alleged under Section 392 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated and on the extra judicial confessional statement of co-accused Md. Dilnawaj and except such statement, there is no other material to connect the petitioner with the alleged occurrence. The said Md. Dilnawaj along with other co-accused Saddam and Raju Kumar have been granted bail by the learned court below itself. The other co-accused Md. Nanhay @ Nayar has been granted bail by this Court in Cr. Misc. No. 47024 of 2016. The petitioner has been granted bail in all the other prior cases in which he has been made accused.



4. Be that as it may, 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 Judicial Magistrate 1st Class, Patna, in connection with Phulwarisharif P.S. Case No. 122 of 2016, on 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)

Md. Ibrarul/-

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