

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 45400 of 2017

Arising Out of PS.Case No. -120 Year- 2017 Thana -MASRAKH District- SARAN

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Mazeed Mian @ Mazeed Husain Son of Ish Mohammad resident of
Village- Chand Kudhariya, P.S.- Masharak, District- Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Jeetendra Narayan, Advocate

For the S t a t e : Smt Sangeeta Sharma, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 21-09-2017

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks bail in a case registered under
Sections 363, 366A, 341, 323, 324, 307, 504/34 of Indian Penal
Code.

It is submitted on behalf of the petitioner that the
petitioner has been dragged in this case even though he has
committed no offence. It is further submitted that the petitioner
does not belong to the family of Arzu Mian and only because he is
neighbour, he has been implicated in this case. It is also submitted
that one Complaint Case No 1445 of 2017 has been filed by the
father of petitioner against the informant and his family members
and just to save their neck, the informant has filed this case against



him. The petitioner is a student of Class X and is in custody since 22.07.2017. Prior to the instant case, there is no criminal antecedent of the petitioner.

Considering the aforesaid submissions, prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate VII, Saran at Chapra in Mashrak Police Station Case No 120 of 2017, corresponding to GR No 3258 of 2017 subject to the following conditions:

- (i) *That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.*
- (ii) *That the affidavit shall clearly state that the petitioner is not an accused in any other case and if he is, he shall not be released on bail.*
- (iii) *That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter, the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.*
- (iv) *That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.*



- (v) *That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.*

(Madhuresh Prasad, J)

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