

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45252 of 2017

Arising Out of PS.Case No. -150 Year- 2015 Thana -LAURIYA
District- WESTCHAMPARAN(BETTIAH)

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Afsar Alam Son of Vakil Ahmad, Resident of Village-Telpur, P.S. Lauriya, District West Champaran			Petitioner
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Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Satyabir Bharti, Advocate

For the Opposite Party : Mr. Manish Kumar 2, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 19-09-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the offence under sections 448, 341, 342, 323, 324, 307, 379, 504, 506 and 34 of the IPC and section 27 of the Arms Act.

Counsel for the petitioner submits that the informant and the petitioner are cousin brothers. He submits that in fact the alleged injuries were caused due to scuffle took place between two sides. There is a case and counter case and with the intervention of their well wishers, the issues have been settled amicably. He placed reliance on Annexure 4 series, which is a petition filed in the court below, with respect to the compromise. He also submits that in the counter case lodged at the petitioner's instance, the accused persons (including the informant) are already on bail. Petitioner is in custody since 21.8.2017. Prior to the instant case, no case is pending against him.

In view of the aforesaid submissions, let the petitioner as mentioned above be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to



the satisfaction of the Chief Judicial Magistrate, West Champaran, Bettiah in Lauria Police Station Case No. 150 of 2015 on the following conditions:-

(a) 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 him. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(b) 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.

(c) 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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