

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 55226 of 2016

Arising Out of PS.Case No. -111 Year- 2015 Thana -JOGBANI District- ARRARIA

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Md. Anwar Mian @ Anwar son of Md. Mujahid @ Mujahid Resident of
village - Khajurbari, P.S. - Jogbani, Dist. - Araria.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. Ajay Kumar-1

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4. 01-03-2017 Heard Sri Ramesh Kumar Singh, learned counsel for
the petitioner and learned Addl. Public Prosecutor.

This is the 2nd attempt for grant of bail on behalf of
petitioner. Earlier, by order dated 12-04-2016, vide Cr. Misc. No.
7078 of 2016, the prayer of bail of petitioner was rejected.

In this case, by order dated 08-02-2017, a report was
called for from the court below, which has been received and kept
at flag 'A'. The report indicates that out of eight chargesheeted
accused, seven have already been granted bail.

Learned counsel for the petitioner submits that even
after rejection of prayer for bail of the petitioner, one another co-
accused namely Md. Chand was extended the privilege of bail by
order dated 26-10-2016 passed in Cr. Misc. No. 36263 of 2016



(Annexure – 4 to the present petition). He submits that petitioner was arrested by the police on 20-12-2015 and since then, he is in custody.

Considering the fact that even after rejection of prayer for bail of the petitioner, one another accused has been granted bail and out of eight accused persons, seven are already enjoying the privilege of bail, there is no reason to deny the same privilege to the petitioner.

Accordingly, let the petitioner namely Md. Anwar Mian @ Anwar be enlarged on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Addl. District & Sessions Judge, Araria in connection with Jogbani P.S. Case No. 111 of 2015 corresponding to Sessions Trial No. 478 of 2016, with condition that one of the bailor must be blood relation of the petitioner and during trial, the petitioner shall remain physically present on each and every date. If continuously on two dates, without prior permission of the trial court, he remains absent, his bail-bond shall stand automatically cancelled.

(Rakesh Kumar, J.)

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