

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1821 of 2017

Arising Out of PS.Case No. -72 Year- 2016 Thana -SARE District- NALANDA (BIHARSHARIFF)

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1. MOTU MIAN @ WASI AHMAD Son of Late Nazamuddin Resident of Village - Jangipur, P.S. Sare, District - Nalanda at present residing at village - Mohini, P.S. Asthawan, District - Nalanda.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Md. Salahuddin Khan

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 02-08-2017 The appellant seeks regular bail in connection with Sare P.S. Case No. 72 of 2016, registered for offences punishable under Sections 147, 148, 149, 341, 323, 307, 447, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act and Section 3(1)(X) of SC/ST Act.

Allegation against the appellant is of firing on the informant causing injury to him.

It has been submitted on behalf of the appellant that though there is allegation of firing against the appellant, however, the injury report suggests that the injuries caused due to assault by hard and blunt substance. Further appellant has been in custody for more than three and half months and now chargesheet has also been submitted.



Heard learned Spl. P.P. as well as learned counsel for the informant. They have opposed the prayer for bail. Learned counsel for the informant has submitted that the appellant is in accused in large number of cases.

Having heard both sides, in view of the above facts, this appeal is allowed, let the appellant above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Nalanda (Biharsharif) in connection with Sare P.S. Case No. 72 of 2016, subject to the following conditions:-

- (i) One of the bailors of the appellant shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellant will not induce any witness or tamper with the evidence.
- (iii) The appellant shall cooperate 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 bonds.

(Vinod Kumar Sinha, J)

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