

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7572 of 2017

Arising Out of PS.Case No. -29 Year- 2015 Thana -BABUBARHI District- MADHUBANI

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1. Md. Sabbir @ Md. Sabeer Son of Md. Fauzdar resident of Village -
Gidarganj, P.S. - Andhra Thadhi, District - Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Sri Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-02-2017 The petitioner is apprehending his arrest in connection
with Babubarhi P.S. Case No. 29 of 2015 , registered for offences
punishable under Sections 302, 201, 120(B) and 307/34 of the
Indian Penal Code.

It has been submitted on behalf of the petitioner that no
specific allegation of overt act has been levelled against the
petitioner and his name has been dragged in this case only on the
basis of suspicion as he is the father-in-law of the deceased. Even
the occurrence took place out of the village of the petitioner.

Learned counsel for the State also could not point out any
specific overt act against the petitioner.

Having heard both sides, in view of the fact that
petitioner happens to be the father-in-law of the deceased and no



specific allegation has been levelled against him and his name has come only on suspicion, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Jhanjharpur, Madhubani in connection with Babubarhi P.S. Case No. 29 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

This is further subject to the condition that:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner shall cooperate in the investigation and make himself available as and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.



It is also made clear that after filing of charge-sheet, if any incriminating material comes against the petitioner, the prosecution will be free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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