

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16917 of 2017

Arising Out of PS.Case No. -794 Year- 2016 Thana -PHULWARI District- PATNA

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1. Shahnawaz @ Sainu S/o Late Baghdad Mian, Resident of Chauraha
Mohalla Saidana, P.S. Phulwarisharif, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Opposite Party/s : Mr. Sri Arbind Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-04-2017 Heard the parties.

This application has been filed in connection with
Phulwarisharif P.S.Case No.794 of 2016 for the offence under
Sections 147, 148, 149, 326 and 307/34 of the Indian Penal Code.

Allegation as per the F.I.R. is that the informant was
intercepted by six persons including the petitioner and one Kaish
Anwar ordered for assault on which all the accused persons started
assaulting on him but there is no specific alliteration against the
petitioner and thereafter, again one Raja Malick fired from his
Pistol against Jaid Anwar. However, it is submitted on behalf of
the petitioner that there is no specific allegation against the
petitioner rather the specific allegation is against Raja Malik, Jaid
Anwar and Nishant. The petitioner is in custody since 17.1.2017.
It has also been submitted that earlier also the petitioner had been
made accused in another case by this informant, which has been
mentioned in para 3 of the petition on oath and due to enmity he



has again falsely implicated him in this case.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, and there is no specific allegation against the petitioner, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Mrs. Shema Eram, J.M. Ist Class, Patna in connection with Phulwarisharif P.S.Case No.794 of 2016.

With following conditions :

- (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 will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate 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.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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