

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43383 of 2017

Arising Out of PS.Case No. -79 Year- 2012 Thana -SHEKHPURA District- SEKHPURA

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1. MD. AFTAB ALAM @ MD. AFTAB, Son of Md. Khurshid Alam @ Kusho, R/o Village- Navi Nagar Kakrar, P.S.- Ariyari, District- Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar. null null

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Anjani Pd. Singh

For the Opposite Party/s : Mr. Sri Sakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 03-10-2017

Heard the parties.

This application, for grant of anticipatory bail, arises out of Sheikhpura P.S. Case No. 79/2012, disclosing offences under Sections 341, 323, 324, 307, 379, 120B and 504/34 of the Indian Penal Code and Section 27 of the Arms Act.

The petitioner was initially not named in the F.I.R. His name subsequently surfaced merely 15 days after registration of the F.I.R. in course of investigation.

It is the plea of the learned counsel for the petitioner that the police after completion of investigation has submitted final report not finding the petitioner's involvement in commission of the offence. He has submitted that the petitioner apprehends his arrest since the court below has taken cognizance of the offence,



vide order dated 24.04.2015, differing with the report submitted by the police.

Considering the fact that since the petitioner is not required for investigation and he is ready to appear before the court below as and when required, no tangible purpose will be served by taking the petitioner into custody, this application is allowed. Let the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the **learned Chief Judicial Magistrate, Sheikhpura** in connection with **Sheikhpura P.S. Case No. 79/2012**, subject to the condition laid down under Section 438(2) of the Cr.P.C.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

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