

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53617 of 2017

Arising Out of PS.Case No. -303 Year- 2017 Thana -KISHANGANJ District- KISANGANJ

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1. MD. MUSHTAQUE MUNNA @ MUSHTAQUE MUNNA Son of late
Najamuddin Resident of Village- Tengermori, P.O.- Belwa, P.S. -
Kishanganj, District- Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kr Sinha No.2

For the Opposite Party/s : Mr. Sri Murlidhar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 17-11-2017 Heard the parties.

The petitioner seeks regular bail in connection with
Kishanganj P.S.Case No.303 of 2017 registered for offences
punishable under Sections 341, 342, 323 & 307/34 of the Indian
Penal Code.

Allegation against the petitioner is that there was some
amount due with the relative of the informant, as such the
petitioner had taken away the informant and waived electric shock
and also tried to hang him.

Submission of the learned counsel for the petitioner is that
the whole prosecution case is false and concocted ad simple in
nature and no way about electric shock is mentioned in the injury
report. Parties have settled the dispute outside the court and he is



in custody for five months.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, 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 the learned C.J.M., Kishanganj in connection with Kishanganj P.S.Case No.303 of 2017.

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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