

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50403 of 2017

Arising Out of PS.Case No. -107 Year- 2016 Thana -KISHANGANJ District- KISANGANJ

=====

1. Mazharul Haque @ Majrul Haque Azad, Son of Md. Zafar Azad Ahmad,
Resident of Village- Kahniyan, P.S.- Chakulia, District- Uttar Dinazpur
WB.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Sri Satyavarat Verma

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 14-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Kishanganj P.S. Case
No. 107 of 2016 instituted for the offence under Sections-364, 302,
379, 34, 120B of the Indian Penal Code.

It has been submitted that the petitioner has been implicated
merely on suspicion. There is allegation that dead body of husband of
the informant was found in Nepal.

In the written report, there is allegation that earlier a case
for motorcycle theft was filed by this petitioner and husband of the
informant was guard in PNB and this petitioner was giving threat to her
husband to recover that motorcycle.

Besides such suspicion, there is no specific allegation of
overt act against the petitioner.

In such circumstances, prayer for anticipatory bail is



allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Kishanganj P.S. Case No. 107 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Kishanganj subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

A.K.V./-

U		T	
---	--	---	--

