

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1921 of 2018

Arising Out of PS.Case No. -55 Year- 2017 Thana -ISHAKCHAK District- BHAGALPUR

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1. Md. Akbar, Son of Md. Akhtar Ali @ Md. Aktar,
2. Md. Parwez, Son of Late Md. Munna,
Both resident of Mohalla- Ishakchak (Gumti No.12), P.S.- Ishakchak,
District- Bhagalpur.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Shiwesh Chandra Mishra, Advocate.

For the Opposite Party : Mr. J.K. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 12-01-2018 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are in custody since 03.07.2017 and
19.07.2017 respectively in connection with Ishakchak P.S. Case No.
55 of 2017 for the offences alleged under Sections 326, 307, 384,
386, 120(B) of the Indian Penal Code and Section 3/4 of Explosive
Substance Act.

3. It is submitted that the petitioners have been
falsely implicated and the accusations are all general and omnibus
in nature. The alleged occurrence has transpired by reason of
dispute over the post of Secretary of the *Masjid* of the society. No
specific overt act has been attributed to the petitioners. Similarly
situated co-accused persons namely Md. Jasim @ Jaso @ Jasso and



Md. Salauddin @ Pappu have been granted bail by this Court in Cr. Misc. No. 38952 of 2017 and Cr. Misc. No. 48845 of 2017 respectively. Learned Court below shall verify that the petitioners are not named accused in Ishakchak P.S. Case Nos. 223 of 2016, 224 of 2016, 18 of 2017, 21 of 2017 and 39 of 2017.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioners above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Bhagalpur, in connection with Ishakchak P.S. Case No. 55 of 2017, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioners.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioners shall cooperate with the investigation, if not already concluded, and make themselves



available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

Md. Ibrarul/-

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