

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11957 of 2018

Arising Out of PS. Case No. -469 Year- 2017 Thana -KHAZANIHAT District- PURNIA

=====

Md. Ashif Ahmad @ Asif Ahmad son of Md. Muzammil Haque @
Mojammil Haque, resident of village Manjheli, Police Station Sadar
(Muffasi), District Purnea

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Viveka Nand Singh, Advocate

For the Opposite Party: Mr. Jitendra Kumar Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 27-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 08.11.2017 in connection with Sessions Trial No. 07/2018 arising out of K. Hat P.S. Case No. 469 of 2017 for the offences alleged under Section 379 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion in connection with the alleged theft of motor-cycle and except the extra-judicial confessional statements of co-accused Manoj Kumar and Dhiraj Kumar Choudhary in connection with K. Hat P.S. case No. 690 of 2017, there is no material to connect the petitioner with the alleged occurrence. No recovery of any incriminating article has been made from the possession of the petitioner nor he has been put on test identification parade for his identification. The petitioner has been granted bail in connection with K. Hat P.S. case No. 690 of 2017.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-



(ten thousand) with two sureties of like amount each to the satisfaction of learned Presiding Officer, Fast Track Court-1, Purnea, in connection with Sessions Trial No. 07/2018 arising out of K. Hat P.S. Case No. 469 of 2017, on the following conditions:-

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

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

(iii) That the petitioner 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, his bail bond shall be liable to be cancelled by the learned Court concerned.

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

B.T/Chandran

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

