

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30554 of 2018

Arising Out of PS.Case No. -717 Year- 2017 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

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1. Jamirul Haque @ Izamirul Haque, S/o Late Md. Ali Ahmad @ Md. Ali,
resident of village- Makrandpur, P.S.- Gaighat, District- Muzaffarpur,
Bihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Sudha Chandra, Advocate

For the Opposite Party/s : Mr. Ajay Kumar-1, APP

Mr. Rakesh Ambhstha, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 02-07-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Muzaffarpur**
Town P.S. Case No.717 of 2017 instituted for the offence under
Section(s) 366-A, 365, 120-B/34 Indian Penal Code.

Counsel for the petitioner submits that the petitioner
has not been named in the First Information Report. Name of the
petitioner has come in para 56 of the case diary in the supervision
note of Superintendent of Police.

Counsel for the Informant has submitted that girl has
not been recovered till date.

Learned APP after going through the case diary has
submitted that besides the name of this petitioner coming in the



supervision note of the Superintendent of Police, there is no other material against the petitioner in the case diary.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Muzaffarpur Town P.S. Case No.717 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Chief Judicial Magistrate, Muzaffarpur**, subject to the conditions as laid down under Section 438(2) 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 his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond 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.

It is mentioned in para 3 of the bail petition that petitioner has clean antecedents.



In the event, it is found that the petitioner has criminal antecedents, it will be open to the Informant to file necessary application for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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