

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62250 of 2017

Arising Out of PS.Case No. -366 Year- 2017 Thana -ARA NAGAR District- BHOJPUR

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1. Nihal Ahmad @ Mantu @ Mintu S/o Late Ahamad Sarfuddin , R/o
Mohalla- Kazi Tola, P.S.- Ara Town, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Mr. Sri Rajeev Nayan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-01-2018 The petitioner seeks regular bail in connection with Ara
Town P.S. Case No. 366 of 2017, registered for offences
punishable under Sections 302, 120B and 34 of the Indian Penal
Code as well as under Section 27 of the Arms Act.

Allegation against the petitioner and other is committing
murder of the deceased in conspiracy and specific allegation
against the petitioner is that he has supplied the pistol to other co-
accused.

It has been submitted on behalf of the petitioner that he
has not been named in the F.I.R, his name has surfaced in this case
on the confession of other co-accused and though it is alleged that
petitioner has made available a pistol to other co-accused of this
case, however, there is nothing to prove the said allegation as no
recovery has been made from the possession of the petitioner and
except confession, there is nothing against the petitioner.
Petitioner has been in custody since 07.07.2017.

Heard learned A.P.P. also.



Having heard both sides, in view of the above facts, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Bhojpur at Ara, in connection with Ara Town P.S. Case No. 366 of 2017, subject to the 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 cooperate 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.

(Vinod Kumar Sinha, J)

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