

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62863 of 2018

Arising Out of PS.Case No. -5 Year- 2018 Thana -BASANHI District- SAHARSA

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Mir Jahid, Son of Late Mir Sattar. resident of Village- Jhanjhari P.S.-
Gowal Para District- Medhepura.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Opposite Party/s : Mr. Sri Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 12-10-2018 Heard learned counsel for petitioner and learned A.P.P.
for the State.

Petitioner seeks bail in Basnahi P.S. Case No. 05/2018,
registered for the offences punishable under Section 302 and 34 of
the Indian Penal Code.

Allegation is committing murder of husband of
informant.

It has been submitted that petitioner has falsely been
implicated in this case. There is no eye-witness of the occurrence.
No incriminating article has been found against this petitioner.
Similarly placed co-accused has been granted anticipatory bail
vide order dated 17.09.2018 passed in Cr. Misc. No. 57365/2018.
Informant and deceased have also criminal antecedent.

Petitioner is in custody since 26.06.2018.

Considering the facts aforesaid, the petitioner above-



named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saharsa in connection with Basnahi P.S. Case No. 05/2018, subject to the conditions:

- (1.) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2.) Petitioner shall co-operate 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 sufficient to cancel his bail bonds.
- (3.) If the 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.

(S. Kumar, J)

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