

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.68850 of 2018

Arising Out of PS. Case No.-166 Year-2018 Thana- GARDANIBAG District- Patna

Md. Tarique, aged 20 years, Son of Md. Tanweer, Resident of Mohalla-
Opposite Gali of Sir Syed School, Lodi Katra Sadar Gali, P.S.- Khajekalan,
Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Faizul Hoda

For the Opposite Party/s : Mr. Sri Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 03-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in
connection with Gardanibagh P.S. Case No. 166 of 2018
registered for the offence punishable under Sections 354, 397,
302 of the Indian Penal Code and 27 of Arms Act.

Informant has alleged that on 03.05.2018 while he
was in his shop, two unknown miscreants entered the shop and
took away valuables and cash from the shop and went outside
and informant and his son followed them also and came out,
upon which they fired upon informant and his son, as a result of
which he sustained injury in his leg while his son sustained
injury in his chest and they were admitted to Hospital where his
son succumbed to the injuries.

It has been submitted on behalf of the petitioner that



he has been falsely implicated in this case and except confession made by co-accused Nishant Kumar there is no other incriminating material against petitioner. Petitioner is also accused in one of the cases instituted against him under the Arms Act. Petitioner is in custody since 31.05.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M.- XIV, Patna, in connection with Gardanibagh P.S. Case No. 166 of 2018 subject to the conditions that:-

(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 properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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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