

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69734 of 2018

Arising Out of PS. Case No.-74 Year-2018 Thana- PRANPUR District- Katihar

Sk. Akhtar @ Kaila, Son of SK. Sabbo, resident of village- Barohar (Jokar),
P.S.- Azamnagar, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md. Musowir, Advocate
For the Informant	:	Mr. Najeeb Ahmad, Advocate, Md. Sufiyan, Advocate
For the Opposite Party/s	:	Mr. Sri Shyameshwar Dayal (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 06-12-2018 Heard learned counsel for petitioner, learned counsel
for the informant as well as learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Pranpur P.S. Case No. 74 of 2018 registered for the offences punishable under Sections 302, 323, 341, 325, 307, 379, 504/34 of the Indian Penal Code.

Informant who subsequently died has stated in his written complaint that while he was going to attend a case in court, F.I.R. named accused stopped him and assaulted by iron rod as a result of which he suffered grievous and fractured injury.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case.



Allegation against petitioner is that he stopped the informant and other F.I.R. named accused assaulted him. There is no allegation of any overt act against the petitioner. Petitioner is in custody since 18.06.2018.

Learned counsel for the informant has vehemently opposes the prayer for bail.

Considering the aforesaid fact 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 learned A.C.J.M.-1st, Katihar, District- Katihar, in connection with Pranpur P.S. Case No. 74 of 2018, subject to 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (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)

Rajiv/Manoj

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