

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69821 of 2018

Arising Out of PS. Case No.-228 Year-2018 Thana- JOKIHAT District- Araria

Md. Shahjahan @ Shahjahan, S/o Jahangir, Resident of Village- Chakai, P.S. Jokihat, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 07-12-2018 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Jokihat (Mahalgaon) P.S. Case No. 228 of 2018 (G.R. No. 2541 of 2018) registered for the offence punishable under Sections 323, 379, 506/34 of the Indian Penal Code.

Petitioner is not named in the FIR . His name has surfaced in this case on the basis of confessional statement of co-accused Md. Sanichra, except confessional statement, no other incriminating material has been recovered from the possession of petitioner. Petitioner has not been put on T.I.P. Co-accused Md. Sanichra and the petitioner belongs to same village and there is inimical term between both, due to which he implicated him in this false case. Petitioner has no criminal



antecedent and he is in custody since 26.08.2018.

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 learned Chief Judicial Magistrate, Araria, in connection with Jokihat (Mahalgaon) P.S. Case No. 228 of 2018 (G.R. No. 2541 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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