

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19365 of 2018

Arising Out of PS.Case No. -373 Year- 2017 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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1. Zahid Ezaj, Son of Aziz Mian @ Md. Ajij, Resident of Village-
Baswariya, Ward No. 28, Police Station- Bettiah Town, District- West
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No. 7

For the Opposite Party/s : Mr. Anil Kumar Singh-1

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 02-05-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has been in custody since 19.09.2017
in connection with Bettiah Muffasil P.S. Case No. 373 of 2017
registered for the offences punishable under Sections 302/201/34
of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that save
and except his confessional statement made before the police on
his being arrested on suspicion, there is no further material in the
case diary to implicate the petitioner in connection with the
present case. It is further submitted that the petitioner is also
having a clean antecedent and is being unduly prejudiced on
account of his custody for no apparent reason.



Learned counsel appearing on behalf of the State after perusal of the case dairy submits that save and except the confessional statement made before the police, there is no further material to implicate this petitioner.

In view of the aforementioned facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Bettiah Muffasil P.S. Case No. 373 of 2017, subject to the following conditions:-

- (1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or their wife.
- (2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.
- (3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.
- (4) The petitioner shall co-operate with the investigation, if



not already concluded, and make himself available as
and when so required and in case of failure, the State
shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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