

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3399 of 2018

Arising Out of PS.Case No. -104 Year- 2017 Thana -SIGORI District- PATNA

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1. Mazhrul Haque, S/o Late Mohibul, Resident of Village-Makhdumchak,
P.S. Sigori, Dist.-Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Yogendra Kr. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 17-02-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Sigori P.S. Case No. 104 of 2017 instituted for the offence under Sections 302/34 of the IPC.

Learned counsel for the petitioner has submitted that on account of inadvertence in para no. 3 of the main petition, it was wrongly mentioned that petitioner has no criminal antecedent, for which he has filed supplementary affidavit, stating that earlier he has been made accused in two cases vide Sigori P.S. Case No. 20 of 2009, in which the name of the petitioner was wrongly mentioned as Md. Chand Ansari. He has already been acquitted from the charges of that case. The second case was lodged vide Sigori P.S. Case No. 36 of 2010, in which police has submitted final form no. 39 of 2010. It has been further submitted that in the instant case, it appears from the FIR that the petitioner is alleged to have been helping the other co-accused who has assaulted the



father of the informant.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner, named above, in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Sigori P.S. Case No. 104 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate, Danapur, District-Patna, subject to condition as laid down u/S 438 (2) of the Cr. P.C. with further conditions (bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (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.

(Sanjay Priya, J)

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