

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14659 of 2018

Arising Out of PS.Case No. -279 Year- 2017 Thana -ARARIA District- ARRARIA

=====

Abdulla S/o Late Md. Arsad Hazi @ Late Arsad Hazi, R/o Village-
Bangama, P.S. and District- Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Mishra

For the Opposite Party/s : Mr. Sri Panchanand Pandit

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 11-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

This is the second round of litigation. Earlier the prayer
for bail was rejected vide order dated 19.12.2017 passed in Cr.
Misc. No. 47937 of 2017.

Petitioner is languishing in judicial custody since
07.07.2017 in connection with Sessions Trial No. 07 of 2018
arising out of Araria P.S. Case No. 279 of 2017 for offences
punishable under Sections 302/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that her sister was beaten by means of Fatta and iron rod by the
petitioner along with seven others because of land dispute who
succumbed to the injuries.



It has been submitted by the learned counsel for the petitioner that he is innocent, general and omnibus allegation has been levelled, there is no eye witness to the alleged occurrence and charges have been framed and that the petitioner is ready to cooperate in the trial. He submits that one of the co-accused on similar allegation has been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 4919 of 2018 vide order dated 02.04.2018.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge, Araria in connection with Sessions Trial No. 07 of 2018 arising out of Araria P.S. Case No. 279 of 2017, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (2) Petitioner will appear before the learned court below during trial as and when required and failure to appear on



two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/-

U		T	
---	--	---	--

