

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12074 of 2018

Arising Out of PS.Case No. -576 Year- 2017 Thana -GOPALGANJ TOWN District- GOPALGANJ

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Sarfaraz @ Sarfraz Ahmad S/o Ali Hussain , R/o Village- Basdila, P.S.
and District- Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ranjeet Kumar Pandey, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 08-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 01.12.2017 in connection with Gopalganj P.S. Case No. 576 of 2017 for the offences alleged under Sections 302, 120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated and in any event co-accused Guddu Singh is said to have fired at the son of the informant as a result of which he has died. While considering the anticipatory bail application of the said co-accused Guddu Singh, this Court has directed that no coercive steps be taken against him. Similarly situated co-accused Rajendra Prasad @ Rajendra Kumar has been granted bail by this Court in Cr. Misc. No. 8077 of 2018 and so also Satyendra Yadav has been granted bail by this Court in Cr. Misc. No. 12632 of 2018.

4. Learned APP assisted by learned counsel for the informant appearing suo motu and opposes bail petition.

5. Be that as it may, having regard to the entirety of



the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj, in connection with Gopalganj P.S. Case No. 576 of 2017, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That 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 reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate 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.

(Vikash Jain, J)

Md. Ibrarul/BT

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