

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65891 of 2018

Arising Out of PS. Case No.-280 Year-2018 Thana- BARHARIA District- Siwan

Nadim Miyan, Son of Shamsad Ali, Resident of Village- Siswa Pashchim Tola, Police Station- Barharia, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Prasad Yadav

For the Opposite Party/s : Mr. Sanil Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 26-11-2018 Heard the parties.

The petitioner seeks regular bail in connection with Barharia P.S.Case No.280 of 2018 registered for offences punishable under Sections 272, 273, 308/34 of the Indian Penal Code.

Allegation against the petitioner as per FIR is that the police raised the wine shop and the petitioner was arrested while he was fleeing in drunken condition.

Submission of the learned counsel for the petitioner is that nothing has been recovered from his possession. He has no criminal antecedent. He is in custody for 2 ½ months.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner,



above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-IIInd cum Special Judge, Excise, Siwan in connection with Barharia P.S.Case No.280 of 2018..

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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