

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.66825 of 2018**

Arising Out of PS. Case No.-70 Year-2018 Thana- BELA District- Sitamarhi

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Md. Bakaulah Son of Late Md. Suleman Resident of Village-Chandi  
Rajwara,P.S. Bela,Distt.-Sitamarhi ... .. Petitioner/s

Versus

The State of Bihar ... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ashhar Mustafa, Advocate

For the Opposite Party/s : Mr. Sri Prem Kumar Jha, APP

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      14-12-2018              Heard learned counsel for the petitioner and learned APP  
for the State.

Learned counsel for the petitioner seeks permission to  
make correction in paragraph 3 of the bail application so as to  
incorporate the pending criminal cases against the petitioner.

Permission is granted. Let the same be done during course  
of the day.

Petitioner is apprehending his arrest for the offences  
punishable under Sections 302/34 of the Indian Penal Code and  
27 of the Arms Act.

It is submitted that specific allegation of killing the  
deceased is attributed against co-accused Navijan, Sheik Naim,  
Sanjay Mahto and Bikrant Lochan. Though the FIR alleges that  
four other persons were there but it is specifically mentioned  
that they were unknown persons. Petitioner being co-villager  
could not be said to be a unknown person. Apart from that it is  
submitted that there is nothing on record except the confessional



statement of co-accused Navijan.

In the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. Let the above named petitioner, in the facts and circumstances of the case, in the event of his arrest or surrender within four weeks from today, be released on bail on his furnishing bonds of Rs 10,000.- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in Bela P.S. Case No. 70 of 2018 subject to all conditions as laid down in Section 438 (2) of Criminal Procedure Code.

1. That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner.

2. That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

**(Madhuresh Prasad, J)**

Prakash/-

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