

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19077 of 2018

Arising Out of PS.Case No. -323 Year- 2017 Thana -JAMUI District- JAMUI

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1. MD. JAHID KHAN @ PACHANAYAKI son of Md. Nizam resident of
Thana Chowk, P.S. and District - Jamui.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Opposite Party/s : Mr. Smt. Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-05-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Jamui (town) P.S.Case nO.323 of 2017, registered for offences punishable under Sections 147, 148, 149, 332, 353, 153A, 295, 295(A), 435, 427, 307, 337, 338 & 323 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner and other accused persons is of pelting stone in the procession of the immersion of Durga Idol and also in the procession of Muharram.

Submission of the learned counsel for the petitioner is that no specific allegation has been attributed against him and he has simply been made accused in the FIR.

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, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released 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 C.J.M., Jamui in connection with Jamui Town P.S.Case No.323 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

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 investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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