

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8926 of 2018

Arising Out of PS.Case No. -318 Year- 2015 Thana -JOKIHAT District- ARRARIA

=====

1. Md. Hasibur Rahman @ Raja S/o Md. Hasim, R/o village- Islam Nagar,
W.N.-27, P.S.- Araria, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh

For the Opposite Party/s : Mr. Rajendra Nath Jha

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 06-03-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has been in custody since 30.11.2015
in connection with Jokihat P.S. Case No. 318/2015 registered for
the offences punishable under Sections 399/402 of the Indian
Penal Code.

Learned counsel for the petitioner submits that
subsequent to the institution of the present case i.e., Jokihat P.S.
Case No. 318, Jokihat P.S. Case No. 319 of 2015 and Jokihat P.S.
Case No. 320 of 2015, was also lodged and prior thereto the
petitioner was implicated in three other cases. So far as these three
cases are concerned, they were lodged on the same day and the
petitioner has been falsely implicated only to ensure that the



petitioner is kept behind the bars. Learned counsel for the petitioner further submits that the allegation against the petitioner is of recovery of one country-made loaded pistol and the petitioner is languishing in jail since 2015 itself.

Having considered the entire facts and circumstances of the case and upon consideration of the fact that the petitioner has been in custody for more than two years in connection with the present case, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria, in connection with Jokihat P.S. Case No. 318/2015, Subject to the following conditions:-

- (1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.
- (2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.
- (3) 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 reasons, his bail bonds shall be liable to be cancelled by



the learned court concerned.

- (4) The petitioner shall co-operate 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.

(Anjana Mishra, J)

Saif/-

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

