

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37078 of 2018

Arising Out of PS.Case No. -250 Year- 2017 Thana -RAMGARHWA District-
EASTCHAMPARAN(MOTIHARI)

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Nasir Alam @ Nazir Alam S/o Late Sk. Sagir @ Late Md. Sagir Ahmad,
R/o Vill.- Adhakupariya, P.S.- Ramgarhwa, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Adya Singh

For the Opposite Party/s : Mr. Sri Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 23-07-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Ramgarhwa P.S. Case No.250 of 2017 registered for the offences
punishable under Sections 341, 323, 307, 504/34 of the Indian
Penal Code and sections 25(1-b)a, 26, 27 and 35 of the Arms Act.

It has been submitted that the petitioner is neither
named in the F.I.R. nor there is any specific allegation against
him. The allegation as per F.I.R. is that Tabrej Alam and Maneer
Alam made indiscriminate firing causing injuries on the person of
nephew of the informant. The doctor has reported the injuries



caused on the injured as simple in nature. The name of this petitioner was disclosed for the first time by injured in course of investigation on the following day. The petitioner surrendered on 19.02.2018 and since then he is in custody and so he deserves bail.

The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer of bail is allowed. The petitioner, named above, is directed to 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 the learned Sub-Divisional Judicial Magistrate, Raxaul at Motihari (East Champaran) in connection with Ramgarhwa P.S. Case No.250 of 2017, subject to the 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) If the petitioner is found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iv) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part 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.

(Sanjay Kumar, J)

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