

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69797 of 2018

Arising Out of PS. Case No.-561 Year-2017 Thana- SAUR BAZAR District- Saharsa

Md. Aftaz Alam Son of Md. Bhola Resident of Village-Lahouna,P.S. Sour
Bazar (Pastpur Shivir), Distt.-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma
For the Opposite Party/s : Mr. Sri Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 07-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection
with Sour Bazar P.S. Case No. 561 of 2017 registered for the
offence punishable under Section 395 of the Indian Penal Code.

Petitioner is not named in the FIR. His name has
surfaced in this case on the basis of confessional statement of
co-accused Md. Mohid, except confessional statement nothing
has been recovered from his possession. Petitioner has not been
put on T.I.P. Similarly placed co-accused, namely, Md. Imran
and Md. Zafar have been granted bail by a co-ordinate Bench of
this Court vide order dated 07.06.2018 passed in Cr. Misc. No.
33299 of 2018 and order dated 06.10.2018 passed in Cr. Misc.
No. 59711 of 2018. Petitioner is in custody since 03.08.2018.



Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa, in connection with Sour Bazar P.S. Case No. 561 of 2017 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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