

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9523 of 2018

Arising Out of PS.Case No. -170 Year- 2017 Thana -BAKHTIARPUR District- SAHARSA

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1. Md. Rizwi Khan @ Md. Rijwi S/o Md. Hesam Khan, R/o Village-Sitanabad, P.S.- Bakhtiyarpur, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Sri Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-04-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Bakhtiyarpur P.S.Case no1.70 of 2017 , registered for offences punishable under Sections 147, 148, 149, 341, 323, 379, 504 and 308 of the Indian Penal Code.

Allegation against the petitioner and several other accused persons is of assaulting the informant and others while they were cultivating the *Mung* in their field.

Submission of the learned counsel for the petitioner is that a large number of persons have been made accused and the injuries are simple in nature except one injury on back, which has been found grievous in nature.

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 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., Saharsa in connection with Bakhtiyarpur P.S. Case nO.170 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 observation, this application is allowed.

(Vinod Kumar Sinha, J)

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