

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10927 of 2018

Arising Out of PS.Case No. -233 Year- 2017 Thana -MAHUA District- VAISHALI(HAJIPUR)

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Md. Shamshad @ Shamshad Khan, Son of Late Ajmal Khan, Resident of
Village- Chakmojahid, P.S.- Mahua, District- Vaishali at Hajipur (Bihar).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. Ajay Kumar -2

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 29-03-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner apprehends his arrest in Mahua P.S. Case
No.233 of 2017 for the offence under Sections 341, 323, 448,
380,307, 506, 504, 34 of I.P.C.

Counsel for the petitioner submits that instant case has
been filed as a counter blast to Mahua P.S.Case No.188 of 2017
lodged by Nasreen Khatun wife of Md. Tabrez Khan who is
sister –in-law (bhawah) of the petitioner against the present
petitioner and other family members. In the instant case there is
general and omnibus allegation against the petitioner.

Learned A.P.P. has opposed the prayer for
anticipatory bail of the petitioner.



In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur, in Mahua P.S.Case No.233 of 2017 subject to the conditions as laid down under Section 438(2) of Cr.P.C. with further conditions: (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 present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bonds of the petitioner and (3) if petitioners tamper 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.

(Sanjay Priya, J)

AnilKrSinha/-

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