

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18955 of 2018

Arising Out of PS.Case No. -379 Year- 2017 Thana -GOGRI District-KHAGARIA

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1. Mumtaj Khan, S/o Mohida Khan, Resident of Village- Ratan, P.S.-
Gogari, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Sri Ram Sumiran Roy

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 28-08-2018 The petitioner is apprehending his arrest in connection with Gogari P.S. Case No. 379/2017, registered for offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Petitioner is not named in the F.I.R., later on his name transpired during investigation and the allegation is of committing murder of mother of the informant.

Submission of learned counsel for the petitioner is that the name of the petitioner transpired during investigation and no specific allegation has been assigned to the petitioner in the case diary rather the allegation is of firing is against the co-accused of this case.

Learned counsel for the State could not controvert the above submission.

Having heard both sides, considering the facts and



circumstances of the case, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria, in connection with Gogari P.S. Case No. 379/2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, with further condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court and the petitioner shall cooperate in the investigation and make himself available as and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

It is also made clear that if during investigation, if any serious material comes against this petitioner, the prosecution is at liberty to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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