

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13463 of 2018

Arising Out of PS.Case No. -248 Year- 2001 Thana -ARARIA District- ARRARIA

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Jainul, son of Fatkan, Resident of Village- Farasut, P.S.- (Bairagachhi)
Araria, District- Araria Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Baleshwar Kamat, Advocate

For the State : Mr. Nirmal Kumar Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 12-04-2018 Heard counsel for the petitioner and APP for the State.

Petitioner is accused in a case registered for offence under sections 147,148,149,307 IPC and 27 Arms Act.

Learned counsel for the petitioner submits that in view of the compromise arrived at between the parties leading to grant of bail to the petitioner in the year 2002 he was under bona fide impression that the case would not proceed further as such he entrusted his lawyer to do the appropriate *pairvi* in the matter. He submits that there is no allegation against him that he was seen at the place of occurrence. Subsequent to cancellation of bail he was arrested on 4.11.2017 and since then he is in custody. Prior to the lodging of this case, he is accused in other two cases mentioned in paragraph 3 of the bail application, in which he is already on bail.

In the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be



released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate II, Araria in Araria Police Station Case No. 248 of 2001 on the following conditions:-

(a) One of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner.

(b) The petitioner will be well represented on each date and if he fail to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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