

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69933 of 2018

Arising Out of PS. Case No.-30 Year-2016 Thana- MAHILA P.S. District- Banka

Md. Arshad, Son of Md. Qayum, Resident of Village-Maharana, P.S.-Barahat,
District-Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjiva Kumar Singh, Advocate
For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 03-12-2018 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Banka Mahila P.S. Case No. 30 of 2016 instituted for the offence under Sections 498(A), 341, 323, 504, 506/34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

Counsel for the petitioner submits that petitioner was earlier allowed bail by coordinate Bench of this Court vide order dated 16.2.2017 passed in Cr. Misc. 6748 of 2017, but his bail bond was subsequently cancelled for non-compliance of the Court's order. Thereafter, he has surrendered on 2.2.2018 and moved for prayer for bail which was rejected by coordinate Bench of this Court vide order dated 27.6.2018 passed in Cr. Misc. 29431 of 2018 with observation that he may renew his prayer for bail after framing of charge.

Counsel for the petitioner further submits that charge



has been framed in the case on 17.7.2018, copy of which has been enclosed as Annexure-3.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Roushan Kumar, Judicial Magistrate, 1st Class, Banka, in connection with Banka Mahila P.S. Case No. 30 of 2016 subject to the condition that both the bailors will be the close relatives of the petitioner with further conditions which are as follows:

(i) Petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and valid reason, his bail bonds will be liable to be cancelled. (ii) If 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 bonds of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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