

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57573 of 2018

Arising Out of PS.Case No. -386 Year- 2015 Thana -BARH District- PATNA

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1. Amzad @ Md. Amzad @ Md. Amzad Mian S/o Bade Mian, R/o Vill.-
Masood Bigha, P.S.- Barh, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mazharul Hassan

For the Opposite Party/s : Mr. Sri Asharaf Ansari

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 31-10-2018 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in Barh P.S. Case No. 386/2015,
instituted for the offences under Sections 364, 326, 379, 448, 323, 354,
307, 302/34 of the Indian Penal Code.

Earlier prayer for bail of the petitioner was rejected by a Co-
ordinate Bench of this Court in Cr. Misc. No. 51339/2017 dated
08.11.2017 with direction to the court below to conclude the trial
preferably within six months.

It is alleged in the written report that for the occurrence of
same day, petitioner has also filed a case bearing Barh P.S. Case No.
385/2015. Thereafter, the instant case has been lodged levelling
allegation against this petitioner of assaulting the informant with iron
rod, *danda* etc.

Report of the court below has been received in this case,



from which it appears that case is still pending. Prosecution evidence has been closed and the case is pending for defence evidence.

Petitioner is in custody since 08.09.2015.

Considering the aforesaid fact and circumstances, prayer of the petitioner for grant of bail 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 the learned Addl. Sessions Judge IInd, Barh, Patna in connection with Barh Case No. 386/2015, subject to the conditions that

- (i) both the bailors shall be the close relative of the petitioner.
- (ii) petitioner shall be present on each and every date fixed by the court and absence on two consecutive dates without valid reason will result in cancellation of bail bond of the petitioner and
- (iii) if petitioner tamper with the evidence in the case, prosecution will be at liberty to move for cancellation of bail bond of the petitioner.

(Sanjay Priya, J.)

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