

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21754 of 2018

Arising Out of PS.Case No. -61 Year- 2008 Thana -JOGBANI District- ARRARIA

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1. Md. Habib S/o Chhotkan Miyan resident of Village - Jhokren, P.S.
Jagbani, District - Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha

For the Opposite Party/s : Mr. Sri Arun Kumar Singh -5

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-06-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor of the State.

The petitioner is apprehending his arrest in connection
with Jogbani P.S. Case No. 61 of 2008 (G.R. No. 1024/2008)
registered for offences punishable under Sections 302/34 of the
Indian Penal Code and 27 of the Arms Act.

The allegation against the petitioner is of indiscriminate
firing on the son of the informant, causing his death.

It has been submitted by the learned counsel for the
petitioner that the petitioner is not named in the F.I. R. but later
on, the name of the petitioner transpired in the course of
investigation. It is also submitted that the allegation against the
petitioner is baseless and he has no criminal antecedent.



Learned Additional Public Prosecutor opposes the prayer of bail.

In the facts and circumstances of the case, and taking into consideration that the case is of the year 2008 and in such view of the matter, the prayer of Anticipatory bail of petitioner is allowed and in the event of his arrest or surrender before the Court below within a period of six weeks from the date of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each in connection with Jogbani P.S. Case No. 61 of 2008 (G.R. No. 1024/2008) to the satisfaction of learned Magistrate, Begusarai, subject to the conditions laid down under Section 438 (2) Cr.P.C. with other conditions that bailors should be local having sufficient immovable property within the jurisdiction of Court concerned and petitioner shall co-operate in the investigation and shall be present before police as and when required, otherwise, prosecution is at liberty to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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