

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45859 of 2018

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Md. Faruk, S/o Md. Aaesh @ Md. Ayush, R/o Vill.- Kaliganj Kathotiya,
P.S.- Manihari, District- Katihar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate

For the Opposite Party/s : Smt. Pushpa Sinha, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 08-08-2018 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is in custody since 17.04.2018 in connection with Sarai Ranjan P.S. Case No.39 of 2018 registered for the offence under Sections 382, 458/34 of the Indian Penal Code, which was subsequently converted into one under Sections 395, 397 and 412 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner was not named in the F.I.R., but subsequently, on the basis of the confessional statement made before the police by one Md. Shahnawaz @ Nehal, the petitioner has been implicated in connection with the present case. It is further submitted that Md. Shahnawaz @ Nehal has since been extended the privilege of regular bail in Cr.Misc. No.45579 of



2018, vide order dated 30.07.2018. It is also submitted that one Vishwanath Rai @ Visho Rai, who was also named by the said co-accused Md. Shahnawaz @ Nehal, has also been extended the privilege of regular bail in Cr.Misc. No.45641 of 2018, vide order dated 27.07.2018.

Considering the aforementioned facts and circumstances and that apart from two cases and the present case, referred to in paragraph 3, the petitioner has no other criminal antecedent, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-VI, Samastipur, in connection with Sarai Ranjan P.S. Case No.39 of 2018, subject to the following conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons,



his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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