

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74291 of 2018

Arising Out of PS. Case No.-227 Year-2018 Thana- CHAUSA District- Madhepura

Md. Ibran Khan @ Md. Ibrar Khan S/o Md. Yunush Khan @ Md. Inush
Resident of Village-Fulaut,P.S. Chausa,Distt.-Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh
For the Opposite Party/s : Mr. Sri Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 14-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Chausa P.S. Case No. 227 of 2018 registered for the offence punishable under Sections 302, 120B, 34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation in the FIR is that altogether 13 persons including petitioner surrounded the brother of informant Md. Nasrul and co-accused Bijendra Mehta and Manish Kumar caught hold of him and other accused persons opened fire, as a result of which brother of informant died on the spot. The petitioner is said to be the member of unlawful assembly.

It has been submitted on behalf of the petitioner that he has been falsely implicated in this case due to village politics.



There is general and omnibus allegation against petitioner.
Petitioner has no criminal antecedent and he is in custody since
31.08.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Uda-Kishunganj, District- Madhepura, in connection with Chausa P.S. Case No. 227 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the 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 of the petitioner.

(S. Kumar, J)

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