

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77037 of 2018

Arising Out of PS. Case No.-58 Year-2017 Thana- MANJHAGARH District- Gopalganj

Md. Saddam @ Zeaul @ Zeyaul, son of Nesar Ahamad, Resident of Village-
Dharam Parsa, Police Station- Manjhagarh, District- Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.Sri Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 20-12-2018 Heard learned counsel for the parties.

Petitioner seeks bail in **Manjhagarh P.S. Case No. 58 of 2017** registered for the offence punishable under Sections 341, 323, 504, 337, 338, 307 and 34 of the Indian Penal Code and under Section 25(1-A) a, 26, 27 and 35 of the Arms Act.

Informant has alleged that when he along with his brothers was going to his cloth shop, then in the way petitioner and other co-accused persons intercepted them and on instigation Md. Ehsan @ Nanhey one of them fired upon him which hit him as a result of which he sustained firearm injury.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. He is not named in FIR. There is no allegation of any overt act against the petitioner. Nothing has been recovered from his possession.



Petitioner has got no criminal antecedent and is in custody since 02.09.2018.

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/- with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Gopalanj** in connection with **Manjhagarh P.S. Case No. 58 of 2017** with following conditions:-

(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 shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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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