

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55822 of 2018

Arising Out of PS.Case No. -105 Year- 2018 Thana -AURAI District- MUZAFFARPUR

=====

Abu Bakar S/o Jamil Akhtar, R/o Vill.- Mahesh Asthan, P.S.- Aurai, Distt.-
Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Adv

For the Opposite Party/s : APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 08-10-2018 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 341, 323, 353, 379, 385, 504, 506/34 IPC
registered in connection with Aurai P.S. Case No. 105/2018 (G.R.
No. 2878 of 2018.

3. It is submitted that the petitioner has been falsely
implicated in retaliation to a complaint dated 09.05.2018 with the
District Magistrate, Muzaffarpur alleging corrupt practices on
behalf of the informant Panchayat Seretary and others. The instant
FIR has been instituted belatedly on 08.06.2018 for the alleged
occurrence of 06.06.2018 without explanation of reasons for
delay.

4. Having regard to the entirety of the facts and
circumstances, as such, in the event of the petitioner's arrest or
surrender before the court below within six weeks from the date of
communication of this order, let the above named petitioner be



released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sub Judge XIV-cum-ACJM XII, Muzaffarpur in connection with Aurai P.S. Case No. 105/18 (GR No. 2878/2018), subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- (i) That one of the bailors shall be a close relative of the petitioner.
- (ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- (iii) That 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.
- (iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran

U		T	
---	--	---	--

