

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7172 of 2019

Arising Out of PS. Case No.-366 Year-2017 Thana- ARA NAGAR District- Bhojpur

Md. Seraj @ Bidua @ Dibua Maharum Md. Jamil @ Md. Jamil Maharum,
Resident of Village - Bhaluhipur, Ara,

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 11-02-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Ara Town P.S. Case No. 366 of 2017 registered
for the offence punishable under Sections 302, 120B/34 of the
Indian Penal Code and 27 of Arms Act.

Earlier petitioner had moved this Court for grant of
regular bail which was rejected as contained in Annexure-1 with
a liberty to renew his prayer after completion of one year in
judicial custody.

Informant has alleged in his written complaint that
on 02.07.2017 at about 11.00 AM when he was talking with his
villager Chandan Yadav, FIR named accused Nayeem Mistri
alongwith 7-8 persons came there on motorcycle and allegation



against co-accused Nayeem Mistri is of firing upon Krishna Kumar Singh, as a result of which he died. Although petitioner is named in the FIR but there is no specific allegation of firing against him. Petitioner is in custody since 06.11.2017 having no criminal antecedent.

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 Chief Judicial Magistrate, Bhojpur at Ara, in connection with Ara Town P.S. Case No. 366 of 2017 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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