

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3608 of 2019

Arising Out of PS. Case No.-166 Year-2018 Thana- AMDABAD District- Katihar

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Kabil @ Md. Kabil, s/o. Saibul, r/o. Village-Paharpur,P.S.-Amdabad,distt.-
Katihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Musowir

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 25-01-2019 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 341/354/325/307/34 IPC registered in connection with Amdabad P.S. Case No. 166/2018.

3. It is submitted that the petitioner has been falsely implicated and there is case and counter case between the parties. The injury report of Sk. Fakir who is said to have been assaulted by the petitioner discloses injury no. 1 as incised wound on the right parietal skull scalp caused by sharp weapon which does not corroborate the accusation of assault by iron rod. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances, 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 J.M.Ist Class, Katihar, in connection with Amdabad P.S. Case No. 166/2018, 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)

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