

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11059 of 2019

Arising Out of PS. Case No.-234 Year-2018 Thana- KASBA District- Purnia

Md. Imran Nadaf, Sex-M, age 33 years, S/o Late Salim Nadaf Resident of
Village- Lagan, P.S. - Kasaba, District - Purnea.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Pramod Kumar Mallick, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 25-02-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 448, 341, 323, 307, 324 of the Indian Penal Code and Section 25(1-b)a and 26 of the Arms Act registered in connection with Kasba P.S. Case No. 234 of 2018.

3. It is submitted that the petitioner has been falsely implicated and there is case and counter case between the parties. Both the parties are neighbours. The accusation of assault is general and omnibus in nature without specific accusation of assault being attributed individually to the petitioner. There is no injury report on record to corroborate the accusation of assault against the petitioner who claims clean antecedents.

4. Be that as it may, 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 Chief Judicial Magistrate, Purnea in connection with Kasba P.S. Case



No. 234 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with 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 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.

(iv) That the petitioner shall cooperate 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.

BT/Chandran

(Vikash Jain, J)

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