

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21356 of 2019

Arising Out of PS. Case No.-307 Year-2017 Thana- BISFI District- Madhubani

MD. REYAZ @ MD. REYAZ AHMAD @ REYAZ AHMAD Son of Md.
Israeel Resident of Village- Bhatoura, P.S.- Bisfi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rashid Izhar

For the Opposite Party/s : Mr.Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 05-04-2019 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, 323, 354(B) IPC registered in connection with Bisfi P.S. Case No. 307/2017.

3. It is submitted that the petitioner has been falsely implicated and the informant's side is in the habit of filing cases against the petitioner's side and the parties are agnates. There is ongoing land dispute between them in respect of which father-in-law of the informant had filed Case No. 54 of 2014 (Annexure-2). Thereafter an FIR in Bisfi P.S. Case No. 56 of 2016 was filed by the nanad of the informant (Annexure-3). The petitioner has also filed Bisfi P.S. Case No. 302 of 2017 against the informant's side on 11.12.2017 for the occurrence on the same day. In retaliation to the same, the present FIR has been filed on 18.12.2017 without explanation for such delay. It is therefore, submitted that the accusations are completely false and motivated. Except the aforesaid Bisfi P.S. Case No. 56 of 2016 the petitioner 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 CJM, Madhubani in connection with Bisfi P.S. Case No. 307/2017, 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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