

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23107 of 2019

Arising Out of PS. Case No.- 195 Year-2018 Thana- Bihar District-Nalanda

Md. Mustak, Son of Md. Mumtaj @ Mastan, Resident of Village - Bakra,
P.S.- Pawapuri, Distt - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binit Kumar, Advocate

For the Opposite Party/s : Ms.Renuka Ratnakar, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 27-09-2019 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is in custody since 12.09.2018 in connection with Bihar P.S. Case No.195 of 2018 registered for the offence under Section 394 of the Indian Penal Code.

Learned counsel for the petitioner submits that the First Information Report was lodged against unknown persons, but subsequently it transpired that on the basis of the confessional statement made before the police, which has no evidentiary value, the petitioner's name has been brought in in connection with the present case. It is further submitted that the petitioner has not been placed on T.I. Parade nor has there been any recovery from his possession.

In view of the aforementioned facts and



circumstances, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Nalanda at Bihar Sharif, in connection with Bihar P.S. Case No.195 of 2018, subject to the following conditions:

(1) One of the bailors will be the father of the petitioner.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) 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.

(Anjana Mishra, J)

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