

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18770 of 2019**

Arising Out of PS. Case No.-584 Year-2018 Thana- BEGUSARAI MUFFASIL
District- Begusarai

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Maksood Alam, aged about 18 years, male, Son of Kaushar @ Md. Kaiser
Resident of Rajaura Akhtiyarpur, P.S.- Muffasil, Distt - Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Abul Kalam, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 28-03-2019 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, 307, 379, 504/34 of the Indian
Penal Code and Section 27 of the Arms Act registered in
connection with Muffasil P.S. Case No. 584 of 2018.

3. It is submitted that the petitioner has been falsely
implicated in the backdrop of past dispute between the parties.
The petitioner is nephew of the informant and has been
implicated along with other co-accused persons who are his
father and two brothers. Earlier the petitioner's parents and
mama had been made accused in Complaint Case No. 39C of 2002
and have been acquitted after trial in Sessions Case No. 146 of
2016 by judgment dated 28.02.2018 (Annexure-2). The present
F.I.R. has been instituted a few months after such acquittal. No
injury has been caused to the informant and there is no injury
report on record.

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, Begusarai in connection with Muffasil P.S. Case No. 584 of 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 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.

(iv) 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.

(Vikash Jain, J)

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