

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70609 of 2018

Arising Out of PS. Case No.-59 Year-2018 Thana- BIRAUL District-
Darbhanga

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Md. Irfan Khan Son of Late Ataullah Khan Resident of Village-Karhari,P.S.
Biraul,Distt.-Darbhanga

... .. Petitioner

Versus

The State Of Bihar

... .. Respondent

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Appearance :

For the Petitioner : Mr. Pankaj Kumar, Advocate.

For the Respondent : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 15-01-2019 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, 323, 307, 379, 427/34 of the Indian
Penal Code registered in connection with Biraul P.S. Case No. 59
of 2018.

3. It is submitted that the petitioner has been falsely
implicated in the backdrop of Biraul P.S. Case No. 154 of 2015
which has been instituted by the petitioner against the
informant's brother and family members and which trial has
commenced and the prosecution parties is pressurizing to
withdraw the said case. The injuries are simple in nature. The
parties are agnates and next door neighbours in connection with
which a few cases have been filed against the petitioner in past.

4. Be that as it may, having regard to the entirety of
the facts and circumstances of the case, 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 Additional Chief Judicial Magistrate, Benipur, Darbhanga in connection with Biraul P.S. Case No. 59 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) 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) 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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