

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21785 of 2019**

Arising Out of PS. Case No.-143 Year-2018 Thana- GOVINDGANJ District-
East Champaran

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MD. HAJI HUSSAIN @ HAJI MIAN @ HAZI HUSSAIN, aged about 22 years,
male, S/o Mahamjan Mian @ Md. Babujan Mian @ Babujan Mansuri R/o
village- Dargah Tola, P.S.- Malahi, District- East Champaran

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Umesh Chandra Verma, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

4 17-07-2019 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, 324, 307, 354, 294, 427, 379,
447, 504, 506, 34 of the Indian Penal Code and Section 27 of the
Arms Act registered in connection with Govindganj (Malahi) P.S.
Case No. 143 of 2018.

3. It is submitted that the petitioner has been falsely
implicated and the parties are neighbours. No injury has been
caused to anyone and there is no injury report to corroborate the
accusation of assault or application of arms act. The petitioner
claims clean antecedents.

4. Learned APP refers to the case diary but however it
does not contain any injury report.

5. 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 Additional Chief Judicial Magistrate-I, Motihari, District- East Champaran in connection with Govindganj (Malahi) P.S. Case No. 143 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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