

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.74097 of 2018**

Arising Out of PS. Case No.-46 Year-2018 Thana- SIMRI District- Darbhanga

Md. Dilshad Son of Md. Motim Nadaf, Resident of Village- Angauna, P.S. Katra, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Niraj Kumar Mishra  
For the Opposite Party/s : Mr. Ashok Kumar

**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

3      25-01-2019                      Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner (Md. Dilshad) seeks to renew his prayer for bail which was earlier rejected vide order dated 16.07.2018 passed in Cr. Misc. No. 34663 of 2018.

Learned counsel for the petitioner submits that though the case was heard, at the said point of time, the impression cast by the counsel for the State was that the petitioner was also arrested from the place of occurrence. This fact stands belied by a bare perusal of the F.I.R. itself which states that the petitioner and one Surendra Yadav had, in fact, escaped. Thus, the statement made at that point of time, after perusal of the case dairy, does not appear to be correct. Learned counsel for the petitioner further submits that the petitioner is having no



criminal antecedent and has already been behind bar for nearly nine months. He thus submits that the petitioner may be released on bail and he will co-operate in the further investigation and also be present at the trial.

Considering the aforementioned facts and circumstances, let the petitioner, Md. Dilshad, whose bail application was earlier rejected vide order dated 16.07.2018 passed in Cr. Misc. No. 34663 of 2018, in which the petitioner was petitioner No. 2, be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga, in connection with Simri P.S. Case No. 46 of 2018.

**(Anjana Mishra, J)**

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