

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23712 of 2019

Arising Out of PS. Case No.-428 Year-2018 Thana- JAKKANPUR District- Patna

Asif Hussain, Gender Male, Age 28 years, Son of Mohammad Azhar Hussain
Resident of Mohalla - Shahsupan, P.S.- Laheriyasarai, District - Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Anjani Kumar Sinha, Advocate

For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 16-04-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 379 of the Indian Penal Code registered in connection with Jakkanpur P.S. Case No. 428 of 2018.

3. It is submitted that the petitioner has been falsely implicated as the first information report is against unknown and his name has transpired only on the basis of the extra-judicial confessional statement of co-accused Aftab except which there is no objective material to connect him with the alleged occurrence. The petitioner claims clean antecedents.

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 Sub-Judge 1/Additional Chief Judicial Magistrate-1st, Patna in connection with Jakkanpur P.S. Case No. 428 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with 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 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.

(iv) 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.

BT/-

(Vikash Jain, J)

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