

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27864 of 2019

Arising Out of PS. Case No.-132 Year-2016 Thana- BAUSI District- Araria

MD. SABBIR @ MD. SHABBIR, Male, Aged about 52 years S/o Hasan @
Bhola Resident of Village- Farkia, P.S.- Bousi, District- Araria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Abhijeet Gautam, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 29-04-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 147, 148, 149, 447, 341, 448, 323, 324, 325, 329, 427, 307, 504 and 506 of the Indian Penal Code registered in connection with Bousi P.S. Case No. 132 of 2016.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of land dispute and he is said to be only the order giver. No overt act of assault whatsoever has been alleged against the petitioner. After investigation of the case, the police submitted final form against the petitioner but the learned Magistrate differing with the same took cognizance against him. 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 VII-cum-Additional Chief Judicial Magistrate-VI, Araria



in connection with Bousi P.S. Case No. 132 of 2016, 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.

(Vikash Jain, J)

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