

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33000 of 2019

Arising Out of PS. Case No.-361 Year-2018 Thana- GOVINDGANJ District- East
Champaran

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Sk. Shakil Son of Late Wakil Ahmad Resident of Village - Chintamanpur,
P.S.- Govindganj (Malahi O.P.), Dist.- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vikram Deo Singh, Adv.

Mr. Nafisuzzoha, Adv.

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 20-05-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with
Govindganj (Malahi) P.S.Case No. 361 of 2018 registered under
Sections 147, 148, 149, 307, 302, 504, 506 of the Indian Penal
Code and Sections 25(1-B)(a), 26 and 35/27 of the Arms Act.

It is submitted by the learned counsel for the
petitioner that the petitioner has been made accused in this case
only because he happens to be the father of three other co-
accused persons. There is no allegation of any overt act against
him. The only allegation against is that after the alleged
occurrence of offence had taken place, he was exhorting his
sons not to spare anyone.

Learned counsel for the State submitted that there is
specific allegation of overt act against the sons of the petitioner.



As far as the petitioner is concerned, he is said to be an order giver.

Considering the submissions made on behalf of the parties, the facts and circumstances of the case as also the fact that the petitioner is in custody since 09.12.2018, he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-I, East Champaran, Motihari in connection with Govindganj (Malahi) P.S. Case No. 361 of 2018, subject to the conditions :

(a) that the petitioner shall attend court in accordance with the conditions of the bond executed;

(b) that the petitioner shall not commit an offence similar to the offence of the present case; and

(c) that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Ashwani Kumar Singh, J)

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