

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27880 of 2019

Arising Out of PS. Case No.-855 Year-2017 Thana- ARARIA District- Araria

Md. Soyeb Age 47 Years Male Son of Late Fakir Mohammad Resident of
Village - Bhansia, Ward No. 03, P.S.- Mahalgaon, District- Araria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Md. Naushad Uzzoha, Advocate
For the Opposite Party : Mr.Rajendra Pd. Nat, 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 341, 342, 323 and 308 of the Indian Penal Code registered in connection with Araria P.S. Case No. 855 of 2017.

3. It is submitted that the petitioner has been falsely implicated and it is a case of road accident involving collision of the motor-cycle into a gate in which the petitioner and the informant's brother sustained injury. It is submitted that after investigation of the case, the police submitted final form showing the mistake of fact but the learned Magistrate differing with the same took cognizance against the petitioner, who 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 Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 855 of 2017, 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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