

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30085 of 2019

Arising Out of PS. Case No.-21 Year-2018 Thana- BARHARIA District- Siwan

Shahid Aftab @ Solder, son of Aftab Alam, Resident of Village- Jaltoliya,
P.S.- Barharia, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Dr. Amrendra Kumar, Advocate
For the State	:	Mr. Zainul Abedin, APP
For the Informant	:	Mr. Prashant Kumar, Advocate

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 17-05-2019 Heard learned counsel for the petitioner and the learned counsel appearing on behalf of the State. Learned counsel for the informant is also present.

The petitioner is in custody since 31.01.2018 in connection with Barharia P.S. Case No.21 of 2018 (S.Tr. No.533 of 2018) registered for the offence under Sections 363, 302 and 201 of the Indian Penal Code.

Learned counsel for the petitioner submits that the prayer for bail of the petitioner had been earlier rejected by this Court by means of order dated 18.08.2018. However, subsequently, this Court vide order dated 10.04.2019 in Cr.Misc. No.16237 of 2019 has extended the privilege of bail to the co-petitioner whose prayer for bail has also been rejected similarly by this Court.

Considering the aforementioned submissions and after



considering that the case of the petitioner stands on similar footing to that of co-accused Masoom Raja, who has since been extended the privilege of bail in Cr.Misc. No.16237 of 2019, vide order dated 10.04.2019, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge, VII, Siwan, in connection with Barharia P.S. Case No.21 of 2018 (S.Tr. No.533 of 2018), subject to the following conditions:

(1) Father of the petitioner will be the bailor.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate 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.

(Anjana Mishra, J)

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