

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30135 of 2019**

Arising Out of PS. Case No.-1025 Year-2018 Thana- FORBESGANJ District- Araria

Md. Tamjid @ Tamzid, Male, aged about 35 years Son of Makbool Resident of Village - Rampur, P.S.- Forbesganj, District - Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Arun Kumar Mandal, Advocate
For the Opposite Party : Mr. Jitendra Kr. Singh, APP

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER**

2 13-05-2019 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, 341, 303, 307, 353, 379, 504 and 506 of the Indian Penal Code registered in connection with Forbesganj P.S. Case No. 1025 of 2018.

3. It is submitted that the petitioner has been falsely implicated and the FIR is against six named persons and 50 unknown persons. The accusations are general and omnibus in nature and no overt act has been alleged against the petitioner. It is submitted that another FIR in Forbesganj P.S. Case No. 1024 of 2018 has been instituted for the same occurrence in which the petitioner has been granted anticipatory bail. Similarly situated co-accused persons, namely, Md. Tohid and Md Nafis have been granted anticipatory bail by this Court vide orders dated 09.04.2019 and 22.04.2019 passed in Cr. Misc. No. 22319 of 2019 and Cr. Misc. No. 26105 of 2019, respectively. Except Forbesganj P.S. Case No. 1024 of 2018, 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 Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 1025 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.

(Vikash Jain, J)

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