

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76884 of 2018

Arising Out of PS. Case No.-538 Year-2018 Thana- KHAGARIA District- Khagaria

Md. Majhar @ Mazhar @ Md. Majhhar Son of Md. Umar @ Md. Amar
Resident of Village-Qutubpur, P.S. Khagaria Muffassil District-Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bishweshwar Ram
For the Opposite Party/s : Mr.Sri Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 15-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 328/379/34 IPC registered in connection with Khagaria (Gangaur) P.S. Case No. 538 of 2018.

3. It is submitted that the petitioner has been falsely implicated and the petitioner is not named in the FIR, which is against unknown persons. The petitioner's name has transpired on the confessional statement of co-accused except which there is no other material to connect the petitioner with the alleged occurrence. No recovery has been made from the possession of the petitioner. 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 CJM, Khagaria in connection with Khagaria (Gangaur) P.S. Case No. 538 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following 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 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.
- iv. 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.

(Vikash Jain, J)

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