

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79759 of 2018

Arising Out of PS. Case No.-315 Year-2018 Thana- ARARIA District- Araria

Sakib @ Sakir @ Shakiruzzama S/o Saikul Islam, resident of Village -Azad Nagar, Ward No.20, P.S and District -Araria

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Anil Prasad Singh, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 28-01-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 392 of the Indian Penal Code registered in connection with Araria (R.S) P.S. No. 315 of 2018.

3. It is submitted that the petitioner has been falsely implicated merely on the basis of confessional statement of co-accused Abubasar, except which there is no material to connect the petitioner with the alleged occurrence. It is submitted that the informant has later on filed a petition before the District & Sessions Judge, Araria stating that he had wrongly implicated the said Abubasar. It is further submitted that there is no objective material against the petitioner nor any recovery has been made from his possession. 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 Araria (R.S) P.S. No. 315 of 2018, subject to the conditions as laid down under Section 438 (2) 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/Chandran

(Vikash Jain, J)

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