

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37368 of 2019

Arising Out of PS. Case No.-362 Year-2018 Thana- MANJHAGARH District- Gopalganj

Sabir Ali @ Rinku, Aged about 28 years, Gender-Male, Son of Noor Alam
Resident of Village - Koini Ansari Tola, P.S.- Manjhagarh, Dist.- Gopalganj.
... .. Petitioner

Versus

The State Of Bihar

.. ... Opposite Party

Appearance :

For the Petitioner : Mr. Uday Pratap Singh, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 20-06-2019 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, 323, 332, 333, 307, 353 and 327 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Manjhagarh P.S. Case No. 362 of 2018.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of land dispute. There is general and omnibus allegation against the petitioner. The thrust of accusation of assault on the head of the informant with lathi is against co-accused Naiyar @ Dablu. No specific overt act has been alleged against the petitioner. Similarly situated co-accused persons have been granted anticipatory bail by this Court in Cr. Misc. No. 3216 of 2019 and Cr. Misc. No. 7751 of 2019 (Annexure-2 series). After institution of the present FIR, the informant's side has again instituted Manjhagarh P.S. Case No. 368 of 2018 against the petitioner.

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, Gopalganj in connection with Manjhagarh P.S. Case No. 362 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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