

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37196 of 2019**

Arising Out of PS. Case No.-234 Year-2016 Thana- JOKIHAT District-
Araria

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SARIQUE @ SARIQUR REHMAN, aged about 40 years, male, Son of Late
Haseer Uddin Resident of Village-Thapkol Ward No.4, P.S.-Jokihat,
District-Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Md. Ziaul Quamar, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 19-06-2019 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, 341, 323, 326, 307, 353,
379, 427, 504 and 506 of the Indian Penal Code registered in
connection with Jokihat P.S. Case No. 234 of 2016.

3. It is submitted that the petitioner has been falsely
implicated and the F.I.R. is against as many as 19 named and
other unknown persons. The petitioner has not been named in
the F.I.R. much less any overt act has been alleged against him.
The petitioner's case stand on better footing than co-accused
Badua @ Badrul @ Md. Badrul and Shams Rabbabni and Abu
Saquib @ Juganu, who are named in the F.I.R. have been granted
bail and anticipatory bail by this Court in Cr. Misc. No. 715 of
2017 and Cr. Misc. No. 42717 of 2016 respectively. 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 Jokihat P.S. Case No. 234 of 2016, 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 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.

(iv) 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.

(Vikash Jain, J)

Ibrar/BT

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