

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41700 of 2019**

Arising Out of PS. Case No.-566 Year-2018 Thana- KISHANGANJ District- Kishanganj

ASLAM @ MD. ASLAM Son of Mustakim Resident of Khirdah, P.S-
Kishanganj, District-Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

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

2 08-07-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 356, 379 IPC registered in connection with Kishanganj P.S. Case No.566 of 2018.

3. It is submitted that the petitioner has been falsely implicated merely on the extra judicial confessional statement of co-accused Nizamuddin except which there is no objective material to connect the petitioner with the alleged occurrence. No incriminating articles have been recovered from the possession of the petitioner. The petitioner is accused in two prior cases of different nature, in which he is on bail.

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, Kishanganj, in connection with Kishanganj P.S. Case No.566 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. 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)

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