

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74806 of 2018

Arising Out of PS. Case No.-238 Year-2018 Thana- NAUGACHIA District-
Bhagalpur

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Md. Babloo @ Md. Bablu Khan @ Bablu Khan Son of late Moin Khan
Resident of Akbar Nagar English Chichtaun, Police Station- Akbar Nagar,
District- Bhagalpur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Sunil Kumar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 08-02-2019 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 and 326 of the Indian Penal Code
registered in connection with Naugachhia P.S. Case No. 238 of
2018.

3. It is submitted that the petitioner has been falsely
implicated. It is further submitted that the informant was not
cleaner of the truck as claimed. It is highly improbable that the
offence would be committed at the toll plaza which is a crowded
place. As a matter of fact, it was the petitioner who had informed
the parents of the informant that the latter had been found
injured near the toll plaza. It is submitted that the injuries are
simple in nature. The petitioner claims clean antecedents.

4. Learned APP has not pointed out any objective
material from the case diary against the petitioner.

5. Be that as it may, having regard to the entirety of the



facts and circumstances of the case, 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 1st Additional Chief Judicial Magistrate, Naugachia, Bhagalpur in connection with Naugachhia P.S. Case No. 238 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) 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) 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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