

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46915 of 2019

Arising Out of PS. Case No.-113 Year-2018 Thana- PIRBAHOR District- Patna

CHINTU @ AFROJ AHMAD, Male, aged about 40 years, Son of Late Aziz Ahmad, Resident of Dariyapur Chouraha, Langar Toli, P.S.- Pirmahore, Dist.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 07-08-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 302, 34 of the Indian Penal Code and Section 27 of the Arms Act.

Earlier, the bail application of the petitioner was rejected vide Annexure-1, giving liberty to renew his prayer if the trial is not concluded within one year. Although one year has not elapsed from date of order but it is submitted on behalf of the petitioner that one similarly placed co-accused having similar allegation, Faisal @ Mumtaz Ahmad has already been granted bail by a co-ordinate Bench of this Court as contained in Annexure 3 who was in custody since 27.02.2018 whereas petitioner is in custody since 06.03.2018.



Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Pirbahore P.S. Case No. 113 of 2018 / G.R. No.1430 of 2018, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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