

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51191 of 2019

Arising Out of PS. Case No.-24 Year-2019 Thana- HAJIPUR SADAR District- Vaishali

Firasat Son of Sharafat Khan @ Sarafal Khan, Resident of Mohalla- Jiyarat
Shree Mian, P.S.- Vilashpur, District- Rampur (Uttar Pradesh).

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar, Advocate

For the Opposite Party/s : Mr.Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 29-11-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Hajipur P.S. Case No. 24 of 2019 registered for the offences punishable under Section 414/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the petitioner is not owner of the seized Truck in question and seized loaded articles belongs to Md. Vasim and Co-accused Md. Salim Hussain who is driver of the Truck in question and co-accused Md. Salim Hussain who was also arrested with this petitioner has been granted regular



bail by a learned Co-ordinate Bench of this Court on 29.05.2019 in Cr. Misc. 20496 of 2019. The petitioner is in custody since 14.01.2019.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case, while rejecting the prayer for regular bail of this petitioner vide order dated 29.03.2019 in Cr. Misc. No. 19203 of 2019, this Court had given liberty to the petitioner to renew his prayer for bail after six months in the event no substantive progress is made in the trial and it is the submission of the learned counsel for the petitioner that till date no witness has turned up in course of trial and further that the similarly situated co-accused Md. Salim Hussain who was also arrested with this petitioner has been granted regular bail by a learned Co-ordinate Bench of this Court on 29.05.2019 in Cr. Misc. 20496 of 2019, let the petitioner above named be released on bail in connection with Hajipur P.S. Case No. 24 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. II-cum-Special Judge, Vaishali at Hajipur, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :



(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

With further condition that one of the bailors of this petitioner must be from the State of Bihar.

(Rajeev Ranjan Prasad, J)

vats/ved

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