

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55199 of 2019

Arising Out of PS. Case No.-116 Year-2017 Thana- GHOGHARDIHA District- Madhubani

MD. IZARAYAL @ AJJO, Son of Late Birkha Mian, Resident of Village-
Majhari, P.S.- Nirmali, District- Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 13-09-2019 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is in custody on his remand on
18.01.2019 in connection with Ghoghardiha P.S. Case No.116
of 2017 registered for the offence under Sections 341, 323,
504, 506, 387, 386/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
entire allegation against the petitioner is false and fabricated as
on the said date of occurrence, the petitioner was already in
custody and therefore, he could not have participated in the
said occurrence. Learned counsel for the petitioner further
submits that the name of the petitioner has surfaced on the
basis of the confessional statement made before the police by
co-accused Ramsevak Yadav and the name of other person has



also been taken by the same accused, who has since been extended the privilege of bail in Cr.Misc. No.58293 of 2018, vide order dated 07.01.2019. Learned counsel for the petitioner submits that in view of the aforementioned facts and circumstances, the petitioner may be extended the privilege of bail in connection with the present case.

Having heard learned counsel for the petitioner and the learned counsel for the State and considering the aforementioned facts and circumstances, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Jhanjharpur, Madhubani, in connection with Ghoghardiha P.S. Case No.116 of 2017, subject to the following conditions:

(1) One of the bailors will be his own blood relative, preferably, mother, son, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned



court concerned.

(4) 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.

(Anjana Mishra, J)

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