

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80426 of 2018

Arising Out of PS. Case No.-392 Year-2018 Thana- FORBESGANJ District- Araria

Haidar Ali Son of Abdul Wahab Resident of village - Purandaha P.S.
Simaraha District Araria

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Anil Prasad Singh, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 17-01-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 447, 341, 323, 324, 307 and 379 of the Indian Penal Code registered in connection with Forbesganj (Simraha) P.S. Case No. 392 of 2018.

3. It is submitted that the petitioner has been falsely implicated as there is case and counter case between the parties. The first information report has been instituted by the informant on 01.06.2018 after delay of five days for the alleged occurrence of 27.05.2018. The accusations are general and omnibus in nature and in any event, injuries sustained by the informant are simple in nature. The injury sustained by the petitioner's father is grievous in nature. The petitioner claims clean antecedents.

4. 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 Chief Judicial Magistrate, Araria, in connection with Forbesganj (Simraha) P.S. Case No. 392 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with 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 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.

(iv) That 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.

(Vikash Jain, J)

BT/Chandran

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