

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58679 of 2019

Arising Out of PS. Case No.-211 Year-2019 Thana- MOTIHARI MUFASIL District- East
Champaran

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SHEIKH IRSHAD Son of Jawed Ahamad @ Md. Javed Resident of Village -
Chhatauni, P.S.- Chhatauni, Distt - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sangeet Deokuliar, Adv.
For the Opposite Party/s : Mr.Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 13-12-2019 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in **Motihari Muffasil P. S.**
Case No. 211 of 2019 instituted for the offence under
Section(s) 302, 120B, 379/34 Indian Penal Code.

It is submitted by the petitioner's counsel that he has been
implicated in the instant case only because it is stated that he
had come to take away the informant's son for a birthday party
in the evening. The petitioner is said to have come along with
co-accused, namely, Lokesh Kumar @ Lucky and Akash
Kumar. The First Information report, thereafter, goes on to
allege that threat was being meted out to the informant's son



by co- accused persons, namely, Shambhu Kumar Nishad, Dr. Manoj Kumar Nishad, Rakesh and Rahul. The threats, as per the submissions of the petitioner's counsel, was being given since the deceased was an accused in murder of son of co-accused, namely, Shambhu Kumar Nishad. Against the petitioner there is no allegation, even in the First Information report, of giving any threats. The petitioner is in custody since 15.06.2019 and has no criminal antecedents.

The learned APP for the State opposed the prayer for bail.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the **Chief Judicial Magistrate, Motihari, East Champaran**, in connection with **Motihari Muffasil P. S. Case No. 211 of 2019**, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each



date and if he fails to do so on two consecutive dates, his bail
bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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