

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59522 of 2019

Arising Out of PS. Case No.-27 Year-2018 Thana- RANIGANJ District- Araria

MD. WADUD @ WADUD @ ADUD Son of Late Abdul Wahid Resident of
Village - Bishanpur, P.S.- Raniganj, Distt - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Naushad Uzzoha
For the Opposite Party/s : Ms.Asha Devi

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 23-09-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 147, 148, 149, 341, 323, 307, 332, 353, 337, 338, 298, 504 of the Indian Penal Code registered in connection with Raniganj P.S. Case No. 27/2018.

3. It is submitted that the petitioner has been falsely implicated and the FIR is against as many as 22 named and 200 unknown persons. There is specific accusation against the petitioner of having assaulted Havildar Amit Kumar on the head with danda, but the same is not corroborated from his injury report, which shows tenderness over body and bruise on back. The petitioner claims clean antecedents.

4. Be that it may, in the event of petitioner's arrest or surrender within four weeks hereof let the above named petitioner be released on provisional bail on furnishing bail bond of Rs.10,000/- [ten thousand] with two sureties of like amount each to the satisfaction of learned CJM, Araria in connection with Raniganj P.S. Case No. 27/2018, subject to the conditions as laid down under Section 438(2) Cr.P.C. and also subject to the following 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 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.

(iv) 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.

5. The provisional bail granted to the petitioner shall be confirmed by the learned Court below upon verification within a further period of four weeks after furnishing bail bond, that Havildar Amit Kumar has not sustained any injury whatsoever, on his head. If any such injury has been sustained, his bail bond shall stand automatically cancelled.

(Vikash Jain, J)

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