

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64366 of 2018

Arising Out of PS. Case No.-279 Year-2018 Thana- NAWADA District- Nawada

Md. Sunny Son of Late Md. Nehal, Resident of Darji Tola Mohalla Bundel
Khand P.S. Bundel Khand District Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Bhavesh Kumar, Advocate
For the Opposite Party : Mr.Rajendra Pd. Nat, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 03-01-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 147, 149, 341, 323, 337, 338, 153(A) and 353 of the Indian Penal Code registered in connection with Nawada (Bundel Khand) P.S. Case No. 279 of 2018.

3. It is submitted that the petitioner has been falsely implicated merely because he happened to a member of the mob and no specific accusation of assault has been made against the petitioner. Similarly situated co-accused Md. Dilshad has been granted anticipatory bail by this Court vide order ted 16.07.2018 passed in Cr. Misc. No. 40185 of 2018. 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, Nawada, in connection with Nawada (Bundel Khand) P.S. Case No. 279 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) 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)

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