

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12087 of 2020

Arising Out of PS. Case No.-181 Year-2019 Thana- ISHAKCHAK District- Bhagalpur

1. MD. JAVED, Son of Md. Ahmad @ Ali Shahid
2. Md. Zafar @ Md. Zafar Imam, Son of Late Md. Suleman
Both are resident of Mohalla-Barahpur, Uttar Tola, P.S-Ishakchak, District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhramveer, Adv.

For the Opposite Party/s : Mr.Tarun Prasad Mandal (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 04-06-2020

The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.

Heard learned counsel for the petitioners and learned counsel for the State.

Petitioners, who are in custody, seek bail in a case registered for the offence punishable under Sections 147, 148, 149, 504, 506, 427, 324 of the Indian Penal Code and section 3/4 of the Explosive Substances Act.

Informant has stated that on 19.11.2019 at 3:00 P.M. altercation took place in between bhagina of informant Sanny and Md. Javed (petitioner) on which a case was lodged in Kotwali P.S. Thereafter, the accused persons armed with deadly weapons came at her house and started abusing and



throwing bombs as a result of which the gate of her daughter became damaged and petitioners along with co-accused were throwing bombs and started firing as a result of which Md. Shahnawaj, Md. Banni, Monam and Md. Shekh sustained splinter injuries on their body which are stated to be simple in nature.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case. The present case is the counter blast case of Ishakchak P.S. Case No. 183 of 2019. It has been further submitted that another cases are also pending in between the parties and only with a view to save the skin from that cases, the present case has been lodged falsely. Petitioners are in custody since 20.11.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Ishakchak P.S. Case No. 181 of 2019 subject to the conditions that:-

(1) Bailors should be local having



sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and their absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioners tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

veena/rajiv

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