

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24765 of 2020

Arising Out of PS. Case No.-34 Year-2018 Thana- AMDABAD District- Katihar

MD. RASHID @ ABDUL RASID S/O Late Abdul Rauf Resident of Village -
Balua, P.S. - Amdabad, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Y.C. Verma Sr. Adv with Mr. Bipin Kumar,
Adv.

For the Opposite Party/s : Mr.Nityanand

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 25-09-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsel are appearing and making submissions from their residence. The Court master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Heard learned senior counsel for the petitioner and learned APP for the State.

Learned counsel for the petitioner is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.



The petitioner seeks bail in Amdabad P.S. Case no. 34 of 2018 instituted for the offence under Section(s) 341,323,324,325,307 and 504/34 of the I.P.C. Later on section 302 of the IPC was added.

Petitioner's prayer for bail was earlier rejected in Cr. Misc. no. 68865 of 2019 "for the present". Prayer has been renewed.

The learned senior counsel submits that even as per allegation in the FIR, at best, petitioner is an order giver. The co-accused persons (assailants) have already been allowed bail in Cr. Misc. nos. 17785 of 2019 15471 of 2019 and 17034 of 2019.

The petitioner is in custody for more than 14 months and the other co-accused persons having three criminal antecedents have been allowed bail.

The learned APP has 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 CJM Katihar in connection with Amdabad P.S. Case no. 34 of 2018, 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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