

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28660 of 2020

Arising Out of PS. Case No.-224 Year-2018 Thana- PATEPUR District- Vaishali

MD. AJAJ @ MD. ILLIYASH S/o Md. Indrish Miya Resident of Village-
Chand Sarai, P.S.-Jandaha, District-Vaishali at Hajipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niranjana Parihar, Adv.

For the Opposite Party/s : Md. H.A. Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-11-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State through virtual court
proceedings.

Since the physical court proceeding is non-functional,
due to present pandemic COVID-19, the matter is listed with
defects.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks of resumption of physical
court proceeding. In the eventuality of non-removal of defects
within undertaken period, the office will place the matter before
the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 364, 120B, 302, 201 of the
Indian Penal Code, Section 27 of the Arms Act and Section



13/16/19/20 of the UAP Act.

It has been submitted that the petitioner is not named in the F.I.R. and he has been implicated in this case merely because his name has been taken in course of statement recorded of certain co-accused in custody. Main accused Surendra Sahni has been allowed bail in Cr. Misc. No. 53746 of 2019. He submits that name of the petitioner has come in the present case on the basis of statement of co-accused Rubi Devi who has also been granted bail. He submits that similarly situated co-accused persons have been granted bail by coordinate Benches of this Court as mentioned at Annexure-2 series.

In the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-Vth, Vaishali at Hajipur in connection with Patepur Police Station Case No. 224 of 2018 subject to the conditions:

(I) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(II) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.

(III) If the petitioner 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 petitioner.

(Anjani Kumar Sharan, J)

devendra/-

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