

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63757 of 2019

Arising Out of PS. Case No.-485 Year-2019 Thana- DANAPUR District- Patna

MD. REYAZ Son of Md. Neyaz Resident of Mohalla - Marshal Bazar, Chik Toli, P.S.- Danapur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed Ehteshamuddin
For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 24-01-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under Section 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against FIR named accused including the petitioner is that while they were abusing and pushing informant in the meanwhile co-accused Md. Jabbi came and fired from the pistol on the neck of informant as a result of which, he sustained injuries.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case due to previous dispute with regard to his dues against informant which was not being refunded by him. It has further been



submitted that there is no allegation of any overt act against the petitioner. There is no allegation of carrying any arm or causing any injury to informant.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Danapur P.S. Case No.485 of 2019 (G.R. No.2206 of 2019) subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

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

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) 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.

(S. Kumar, J)

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