

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68146 of 2019

Arising Out of PS. Case No.-222 Year-2018 Thana- BARGAINIA District- Sitamarhi

MD. AKRAM KHAN @ EGRAM KHAN, Son of Late Hasib Khan @ Md. Hasib Khan, Resident of Village - Akhta Gote, P.S.- Bairstania, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.Binod Kumar (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 19-06-2020 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 petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in a case registered for the offences punishable under Sections 147, 148, 149, 325, 323, 324, 307, 120(B), 34, 302 of the Indian Penal Code and Section 27 of the Arms Act.

Petitioner has twice earlier moved this Court for bail vide Cr. Misc. No.10748 of 2019 and Cr. Misc. No.31334 of 2019 which were rejected on 01.04.2019 and 15.05.2019 respectively.



It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Allegation of firing causing death is against co-accused Md. Rustam. There is case and counter case. Petitioner is in custody since 25.10.2018 having no criminal antecedent.

Report was called for with respect to stage of trial and trial court in its report has stated that the case is pending for framing of charge.

In facts and circumstances of this case, petitioner is directed to be released, **if charges has been framed and if same has not been framed then on framing of charge**, on bail by the court below itself on 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 Bairgania P.S. Case No. 222 of 2018 subject to the conditions that:-

(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 sufficient reason the trial court will be at liberty to cancel his bail bonds.

(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.

With the above observation, this application is disposed of.

(S. Kumar, J)

veena/rajiv

U		T	
---	--	---	--

