

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29529 of 2020

Arising Out of PS. Case No.-361 Year-2018 Thana- GOVINDGANJ District- East
Champaran

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AJAHAR FARUKH, Son of Shekh Shakil Ahamad @ Seikh Shakil Ahmad,
Resident of Village – Chintamanpur, P.S.-Govindganj Malahi, District – East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Ansul, Advocate.
For the State	:	Mr. Shyam Kumar Singh, APP.
For the Informant	:	Mr. P. K. Sahi, Sr. Advocate.
		Mr. Prafull Chandra Jha, Advocate.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL ORDER

3 18-01-2021 Heard the parties.

The petitioner is languishing in custody for the
offence punishable under Sections
147/148/149/307/302/504/506 of the Indian Penal Code and
Sections 25(1-b)a, 26 and 35/34 of the Arms Act.

During the occurrence of assault, other co-accused
assaulted to the deceased, whereas the petitioner allegedly
caused injury with a sword to Md. Israr.

Learned counsel for the petitioner submits that in the



past prayer for bail was refused to the petitioner vide order at Annexure-1. Petitioner is in custody since 09.12.2018. The doctor has found two lacerated wounds on the head of Md. Israr and both the injuries were found grievous in nature, however laceration is not possible by a sharp cutting weapon.

The report of the court below reveals that prosecution evidence is going on during trial, however due to COVID effect, prosecution evidence has not completed.

Mr. P. K. Sahi, learned senior counsel appearing for the informant opposed the prayer for bail.

Considering the period already undergone by the petitioner as under trial prisoner and undertaking of the petitioner to cooperate with the trial, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Govindganj (Malahi) P.S. Case No. 361 of 2018, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to



cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without
permission of the trial Court.

(Birendra Kumar, J)

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