

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31256 of 2020

Arising Out of PS. Case No.-426 Year-2019 Thana- PURNEA SADAR District- Purnia

MD. KHALID @ SHEIKH KHALIK Son of Sheikh Benam Mistri Resident
of Village- Manihari, P.S.- Manihari, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand, Adv

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 08-04-2021 Heard learned counsel for parties.

Petitioner apprehends his arrest in connection with a case registered for the offence punishable under Sections 379/34 of the Indian Penal Code.

Allegation against the petitioner is of hiring the Tractor of the Informant for carrying goods and thereafter not returning the Tractor.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to animosity. Petitioner and Informant are agnates and there is land dispute between the parties. Nothing has been recovered from the possession of the petitioner. It has been further submitted that petitioner never hired the tractor of the Informant. Petitioner has got no criminal antecedent.



Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail, in the event of his/her 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 **Sadar P.S. Case No. 426 of 2019** subject to the conditions 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.

(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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