

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39481 of 2020

Arising Out of PS. Case No.-78 Year-2019 Thana- MOUZAHDIPUR District- Bhagalpur

MD SAHIL @ BABUWA SON OF MD. MAHMOOD ALI Resident of
Amzadnagar Ganichak, P.S.- Mojahidpur and District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madan Mohan, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 17-02-2021 Heard learned Counsel for the petitioner and the learned
Counsel for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Sessions Trial No. 668 of 2019 arising out of Mojahidpur PS Case No. 78 of 2019 registered under Sections 394, 307, 326 of the IPC and Section 27 of the Arms Act.

Allegation is that two persons have stopped the informant with the intention of robbing him. On resistance it is alleged that they have fired but the same has not hit the informant. He has described the two persons though he has not named them.

Learned Counsel for the petitioner submits that he is in custody since 23.3.2019. The trial has already began and only two witnesses have been examined out of eleven. The petitioner has not been put on T.I.Parade though the allegation of the informant is that he can recognise the accused persons. The petitioner is implicated in two more cases from before in which he is on bail.



Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge Vith, Bhagalpur Sessions Trial No. 668 of 2019 arising out of Mojahidpur PS Case No. 78 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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