

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23089 of 2022

Arising Out of PS. Case No.-111 Year-2019 Thana- Arer District- Madhubani

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Afsar Wali @ Afasar Ali Son Of Wali Ahmad, R/O- Deora, P.S.- Jaley,
District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Fahimuddin, Adv.

For the Opposite Party/s : Mr. Rajendra Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 03-08-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Arer P.S. Case No. 111 of 2019 lodged under Sections 394 I.P.C.
and subsequently added under Section 302 of the I.P.C.

Learned counsel for the petitioner submits that he is
not named in the F.I.R. F.I.R. has been filed against three
unknown persons. He further submits that neither any article has
been recovered nor T.I.P. has taken place. He further submits
that petitioner is in custody since 03.02.2020 in Sakri P.S. Case
No. 196 of 2019 and remanded in the present case on
03.07.2020. Charge sheet has already been filed in this case. On

the point of his criminal antecedent, learned counsel for the petitioner submits that he is ready to fulfill all the conditions as imposed by the Court.

Learned counsel for the State opposes the prayer for bail and submits that in case bail shall be granted, the petitioner shall create hurdle in completion of trial.

In the present facts and circumstances of the case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Benipatti, Madhubani in connection with Arer P.S. Case No. 111 of 2019, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

ravishankar/-

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