

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31357 of 2022

Arising Out of PS. Case No.-116 Year-2020 Thana- AKBARNAGAR District- Bhagalpur

MD. IQBAL S/o Md. Moin Resident of Village- Simraha, P.S.- Akbarnagar,
District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-09-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Sections 341,323,307,504,379/34 of the IPC and 27 of Arms Act.

The informant alleges that due to land dispute, the petitioner and his wife as well as four five unknown persons having deadly weapons such as pistol, rod, lathi etc came at his matrimonial home and started to abuse and assault and when the informant opposed the same the accused Shahjadi Begum ordered to kill the informant upon which the petitioner fired



upon him with intention to kill him which was hit upon below the shoulder and he fell down became unconscious and the accused persons also open fire 8-10 round and arrival police the accused persons fled away and the informant was admitted for treatment in J.L.N.M.C.H., Bhagalpur.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case due to land dispute between the parties. Further submits that the matter was settled between the parties and they have filed the compromise petition before the learned court below on 27.03.2021 stating therein that they are not ready to further proceed in the present case and the petitioner is in custody since 13.12.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Akbarnagar P.S. Case No.116 of 2020, with the following conditions:-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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