

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55134 of 2024

Arising Out of PS. Case No.-167 Year-2022 Thana- MAHESHKHUNT District- Khagaria

MD. ZIYA UDDIN KHAN @ MD. ZIYA UDDIN @ ZIYA UDDIN KHAN
SON OF LATE BATTO KHAN @ LATE BUTO KHAN RESIDENT OF
VILLAGE - SALIM NAGAR, P.S. - MAHESHKHUT, DISTRICT -
KHAGARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Subhash Kumar Jha, Adv.
For the Opposite Party/s	:	Mrs.Madhuri Lata, APP
For the Informant	:	Mr.Mukesh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-08-2024 Heard learned counsel for the petitioner, learned counsel

for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with a case registered for the offence punishable u/s 341, 323, 325, 307, 504, 506, 379 and 34 of the IPC.

3. As per the prosecution case, allegation against the petitioner and other co-accused persons are said to have assaulted the son of the informant.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. He has been falsely implicated in this case due to ulterior motive. There is no specific overt act against the petitioner. Charge sheet has been submitted against the



petitioner and there is no allegation against him to tamper the witnesses. The petitioner has seven criminal antecedent and has been languishing in custody since 20.04.2024.

5. Learned APP for the State and learned counsel for the informant opposed the prayer for bail.

6. Considering the facts and circumstances of this case and the period of custody, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/the Successor Court, in connection with Maheshkhunt P.S. Case No.167 of 2022, subject to the following conditions:

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.



(3) The petitioner shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(5) The petitioner shall appear before the Police Station of his local area in the first week of each month till the disposal of the present case.

(Anjani Kumar Sharan, J)

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