

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1172 of 2024

Arising Out of PS. Case No.-322 Year-2022 Thana- GARKHA District- Saran

Md. Aslam SON OF ABDUL GANI @ ABDUL GANI MIYAN RESIDENT
OF VILLAGE - MOTIRAJPUR, PO- SAID SARAI, PS- GARKHA, DIST-
SARAN AT CHAPRA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 22-11-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. At the very outset, learned counsel for the petitioner has submitted that the bail application of the petitioner was rejected vide order dated 06.04.2023 in Cr. Misc. No. 64299 of 2022 but the petitioner is renewing his prayer for bail on the fresh ground that the informant, who is father of the deceased and brother of the deceased have turned hostile during the trial. The certified copy of depositions of informant PW-3 and brother of the deceased PW-1 has been supplied by the learned counsel for the petitioner at the time of hearing which shows that both of them have turned hostile.

3. On the other hand, Sri. Shailendra Kumar learned APP for the State has opposed the prayer for bail.



4. It appears that though the bail petitioner was earlier rejected but the material witnesses have become hostile. The petitioner is under custody since 22.05.2022.

5. Considering the aforesaid facts and circumstances, let the petitioner named above, 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 Additional District and Sessions Judge-Ivth, Sara at Chapra in connection with Garkha P.S. Case No. 322 of 2022 with the condition that **the petitioner will appear in the court below on each and every date fixed in the case and if, he fails to do so on two consecutive dates unless he is prevented by extremely adverse circumstances, the learned court below shall be at liberty to cancel the bail bonds of the petitioner.**

(Nawneet Kumar Pandey, J)

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