

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54570 of 2016

Arising Out of PS. Case No. -309 Year- 2015 Thana -PURNEA SADAR District- PURNIA

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Md. Anisur Rehman @ Anisur Rahaman, Son of Late Badrish alias Late Idrish, resident of Village- Mirjapur, Police Station- Sadar, District- Purnea.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh, Adv.

For the Opposite Party/s : Mr. Akshay Lal Pandit, AAP-75

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 23-12-2016 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Purnea Sadar P.S. Case No. 309 of 2015 registered for the offences punishable under Sections 147, 148, 149, 324, 307 and 302 of the Indian Penal Code.

Allegedly on the order of the petitioner, the co-accused, namely, Mursalim gave a sickle blow on the neck of the father of the Informant resulting his father succumbed to the injuries.

Submission is that of false implication and that the petitioner is not the assailant. In this case, other co-accused persons have been granted anticipatory bail vide order dated 24.11.2015 passed in Cr. Misc. No. 53501 of 2015 and the case of



the petitioner is on similar footing as he is not the assailant.

Learned APP has submitted that the petitioner is the order giver.

In the facts and circumstances stated above, and considering the fact that the petitioner is in custody since 15.7.2016, charge-sheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with Purnea Sadar P.S. Case No. 309 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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