

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19686 of 2015

Arising Out of PS.Case No. -127 Year- 2012 Thana -SARAI RANJAN District- SAMASTIPUR

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1. Naushad Alam. Son of Anwar Hussain. Resident of village - Harsingpur Mahri, p.S.- Sarairanjan, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar

For the Opposite Party/s : Mr. Surendra Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 25-06-2015 Heard learned counsel for the petitioner as well as

learned counsel for the State.

In this application for anticipatory bail the petitioner apprehends his arrest for the offences punishable under sections 279, 304 A, 302 and 120B/34 of the I.P.C.

The petitioner is not named in the F.I.R. As per FIR when the wife of the informant was walking Md. Saddam driving the Bolero jeep rashly and negligently dashed the wife of the informant and she became seriously injured and during treatment she succumbed to her injuries. During investigation it has transpired that the petitioner was also involved in the crime and the accident was caused due to previous land dispute.

Submission is that the FIR named accused Md.

Saddam has already been granted bail by the Court of C.J.M. itself as earlier the case was registered under sections 279 and 304A of the I.P.C and after lapse of nine months sections 302 and 120B/34 I.P.C. has been added and after two years the name of the petitioner has figured and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. fairly submits that from perusal of the impugned order it reveals that Md. Saddam who was driving the vehicle has already been granted bail by the order of C.J.M.

In the facts and circumstances as stated above, considering that the main accused has already been granted bail by the learned court below itself and as such the petitioner in case of his arrest or surrender within two months from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. Sri Ravindra Kumar, J.M. 1st Class, Samastipur in Sarairanjan P.S. Case No. 127 of 2012, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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