

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21897 of 2016

Arising Out of PS.Case No. -545 Year- 2015 Thana -KRITYANAND NAGAR District- PURNIA

1. Md. Yunus Son of Saidur Rahman@Samir Resident of Village Kola
Satkodariya, P.S. K. Nagar (Maranga) District Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Md. Aslam Ansari(App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 15-07-2016 Heard the learned counsel for the petitioner and the
learned A.P.P. representing the State.

The petitioner seeks bail in connection with K.
Nagar (Maranga) P.S. Case No. 545 of 2015 registered for the
offences punishable under Sections 302 and 120(B) of the
Indian Penal Code.

Allegedly, the father of the informant was found
dead and documents after breaking the box were also taken
away and it is alleged that F.I.R. named four accused persons
along with 2-3 unknown had killed him. During investigation,
the name of the petitioner transpires.

Submission is of false implication and that the



petitioner is not named in the First Information Report, he is a poor truck driver and only on suspicion, he has been implicated in this case, there is no eye-witness of the occurrence, similarly situated co-accused Samsul @ Md. Samser @ Shamsheer has been allowed pre-arrest bail vide Criminal Miscellaneous No. 11604 of 2016 and the petitioner is suffering in custody since 25.02.2016. Charge-sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned A.P.P. fairly submits that similarly situated co-accused Samsul @ Md. Samser @ Shamsheer has been allowed pre-arrest bail.

In the facts and circumstances stated above, the petitioner, above named, is also 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 Sub Divisional Judicial Magistrate, Purnea in connection with K. Nagar (Maranga) P.S. Case No. 545 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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