

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1044 of 2017

Arising Out of PS.Case No. -170 Year- 2016 Thana -BIHARIGANJ District- MADHEPURA

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Md. Niyaz Alam, Son of Md. Ashfaq @ Md. Asuk Alam, Resident of
Village - Kusthan, Police Station - Bihariganj, District - Madhepura.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Manoj Kumar, Advocate.

For the Opposite Party : Mr. Pramod Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-02-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 12.10.2016
in connection with Bihariganj P.S. Case No. 170 of 2016 for the
offences instituted under Sections 341, 323, 354(B) and 504/34 of
the IPC.

The prosecution story, in brief, is that on 10.10.2016 on
the eve of '*Durga Puja*', in the night, Orchestra Programme was
going on in the Railway Campus in which at about 11.45 P.M. this
petitioner and co-accused Md. Ejaj teased and dashed with the
women in the crowd and when the members of Mela Committee
protested then the petitioner and co-accused Md. Ejaj fled away
from the crowd.



It has been submitted on behalf of the petitioner that the petitioner is in custody since 12.10.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. He has got no criminal antecedent. He has falsely been implicated in the present case due to village politics. There is no substantive evidence to suggest his implication in the present case. It is further submitted that the petitioner may be released on bail after completion of six months in custody from 12.10.2016.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail after completion of six months in custody from 12.10.2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-Ist Class, Udakishunganj, Madhepura, in connection with Bihariganj P.S. Case No. 170 of 2016.

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(Sudhir Singh, J)

