

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14573 of 2017

Arising Out of PS.Case No. -169 Year- 2016 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

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1. Sarfaraj Alam @ Nipu, son of Late Abdul Gaffar Mian, Resident of
Village- Islampur, P.S.- Raxaul, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1

For the Opposite Party/s : Mr. Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 18-05-2017 Heard the parties.

The petitioner seeks regular bail in connection with Raxaul
P.S.Case No.169 of 2016 registered for offences punishable under
Sections 302, 120(B)/34, 324 & 307 of the Indian Penal Code.

Allegation against the petitioner and three other accused
persons is of firing on the deceased and the case is under Section
302 and other Sections of the Indian Penal Code as well as Section
34 of the Explosive Substance Act.

It is submitted on behalf of the petitioner that there is
allegation of firing on the four accused persons including the
petitioner but the postmortem report shows that there is only one
injury on the person of the deceased and he is in custody for about
nine months.



Heard learned A.P.P. also, who has not controverted the above submissions.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M., Motihari District- East Champaran in connection with Raxaul P.S.Case No.169 of 2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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