

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.6943 of 2017**

Arising Out of PS.Case No. -109 Year- 2016 Thana -KASBA District- PURNIA

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1. Tasam @ Md. Tasam. S/o Mustaque @ Md. Mustaque,  
2. Md. Mithu @ Mintu, S/o Md. Istiyak.  
3. Md. Muzaffar, S/o Late Asfaq, All Resident of Village- Sanjhaily,  
P.S. Kasba, District- Purnea.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ajit RanjanKumar

For the Informant : Mr. Anisur Rahman

Mr. Akram Maiyar

For the Opposite Party/s : Md. Alsam Ansari

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

3      01-03-2017      Heard the parties.

This application has been filed in connection with Kasba P.S.Case No.109 of 2016 for the offence under Sections 120(B) of the Indian Penal Code.

It is submitted on behalf of the petitioners that except that they were seen fleeing from the place of occurrence, there is nothing against these petitioners and they are rotting in jail custody since 21.12.2016.

Heard learned A.P.P. as well as the learned counsel for the informant. The learned counsel for the informant could not point out any other facts except as stated by the learned counsel for the petitioners, however, it has been submitted on behalf of the learned counsel for the informant that there is strong circumstances against the petitioners but from perusal of the case



diary, it appears that only circumstances that comes against these petitioners are that they were seen fleeing from the place of occurrence and the inquest report shows that cause of death of the deceased is strangulation but the post mortem report does show that cause of death of the deceased is strangulation rather viscera report shows that some chemicals were present.

Having considered the argument of both the parties, let the petitioners, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of C.J.M., Purnea in connection with Kasba P.S.Case No.109 of 2016.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their 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 their bail.

With the aforesaid observation, this application is allowed.

**(Vinod Kumar Sinha, J)**

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