

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.11743 of 2017**

Arising Out of PS.Case No. -106 Year- 2016 Thana -HATHAURI District- MUZAFFARPUR

=====

Md. Tajuddin @ Tajuddin, Son of Md. Issuf, Resident of Village- Dumari  
Parmanandpur, P.S.- Deoriya, District- Muzaffarpur.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

=====

**Appearance:**

For the Petitioner : Mr. Rakesh Ranjan, Advocate

For the Opposite Party : APP

=====

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

**ORAL ORDER**

4      11-04-2017                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner is in custody since 26.10.2016 in connection with Hathauri P.S. Case No. 106 of 2016 for the alleged offences under Sections 379 and 461 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated and the petitioner is not named in the FIR which is against unknown persons. The petitioner's name has surfaced on the basis of statement of Kiran Sharma who has named one Azad as the owner of the shop and the petitioner has been implicated merely because he happens to a relative of the said Azad. No recovery of any incriminating articles has been made from the possession of the petitioner. The petitioner claims clean antecedents.



4. Be that as it may, having regard to the entirety of the facts and circumstances of the case as well as the period of custody since 26.10.2016 already suffered, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzffarpur in connection with Hathauri P.S. Case No. 106 of 2016 on the following conditions :-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

**(Vikash Jain, J)**

Chandran/BT

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

