

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18011 of 2017

Arising Out of PS.Case No. -55 Year- 2010 Thana -MINAPUR District- MUZAFFARPUR

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1. Md. Taslim S/o Bipat Mian @ Rahmat Ali Resident of Village-Prasad,P.S.-Minapur, District-Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Sri Indra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 09-05-2017 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with S.T. No. 156/17 arising out of Minapur P.S. Case No. 55 of 2010 registered for the offence punishable under Section 302/34 of the Indian Penal Code.

Allegedly, the sister of the informant was misbehaved by the petitioner and others and they tried to take her away forcibly on which she raised alarm and then the informant and his men reached there and in torch light identified the miscreants. On the next day *Panchayati* was to be arranged but failed and in the evening after alarm being raised by his sister from maize field, the prosecution party found Md. Taslim and Md. Illiyas pressing her



neck by her *dupatta* and Md. Islam had caught her both hands and Md. Sabir her both legs and on seeing the prosecution side the accused persons fled away leaving the sister of the informant dead.

Submission is of false implication and that during investigation besides informant no one supported the version of the informant, even the father of the informant has not come as an eye witness. The police submitted final form against rest accused persons and chargesheet against the petitioner showing suspicion. Other co-accused persons have been allowed pre-arrest bail vide Cr. Misc No. 19453 of 2014 and, as such, the petitioner also deserves sympathetic consideration as he is suffering in custody since 16.01.2017 after his surrender.

The learned A.P.P. opposes the prayer of bail but fairly submits that after showing suspicion chargesheet has been submitted against the petitioner.

In the facts and circumstances stated above, considering that investigation is complete and there is no chance of tampering with prosecution evidence and, as such, the petitioner above named is 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 6th Additional Sessions Judge, Muzaffarpur in connection with Sessions Trial



No. 156 of 2017 arising out from Minapur P.S. Case No. 55 of 2010 subject to the conditions that one of the bailors must be 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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