

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3625 of 2017

Arising Out of PS.Case No. -362 Year- 2016 Thana -JAHANABAD District- JEHANABAD

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1. Md. Raju @ Raju @ Raju Alam @ Sarfaraj Alam, Son of Barik Alam,
resident of Village- Badahar, P.S.- Jehanabad, (O.P. Kalpa), District-
Jehanabad Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Abdul Wadood, Adv.

For the Opposite Party : Mr. Anuj Kumar Srivastava, APP 79

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL ORDER

3 18-03-2017 Heard the learned counsel for the petitioner
and the State.

This is a petition for grant of regular bail for
offences under Sections 147, 148, 149, 341, 342, 302 and
120B of the Indian Penal Code.

According to first information report, Md.
Akhtar and Md. Rustam, both were allegedly assaulted
and done to death by a crowd in the house of Barique
Mian on the allegation that they were thieves.

Submission of the petitioner is that both had
gone to commit theft and the crowd assaulted, as a result
whereof they died. There is no specific allegation against
the petitioner. However, subsequently a new story has
been developed by the prosecution that there was love
affairs between the deceased and daughter of Barique
Mian, which was not liked by the family members of
Barique Mian as a result thereof Barique Mian planned



and the death was caused.

The learned counsel for the State submitted that the case diary does not state that any witness supported the case.

Considering the aforesaid fact, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with **Sessions Trial No. 579 of 2016/162 of 20167** arising out of Jehanabad (O.P. Kalpa) P.S. Case No. 362 of 2016 to the satisfaction of the **Additional Sessions Judge, II, Jehanabad**, or successor Court with the condition that the petitioner shall fully cooperate with the investigation/trial of the case and if the Court below would come to notice that the petitioner has committed similar type of offence in future, the Court below shall be at liberty to cancel the bail bond of the petitioner in this case also.

(Birendra Kumar, J)

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