

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6887 of 2017

Arising Out of PS.Case No. -125 Year- 2016 Thana -BARAULI District- GOPALGANJ

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1. Alamgir Khan Son of Jamaluddin @ Jamal Khan Resident of Village-
Kala Barwa, P.S. Sathi, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha

For the Opposite Party/s : Mr. Sri Anand Mohan Prasad Mehta

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-05-2017 The petitioner seeks regular bail in connection with

Barauli P.S. Case No. 125/16, registered for offences punishable

under Section 328 and 396 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that
petitioner's name has surfaced in this case only on the basis of
confessional statement of co-accused and except that there is
nothing against him. It has further been submitted that no recovery
has been made from the possession of the petitioner and uptil now
no Test Identification Parade has been conducted and he has been
in judicial custody since 16.11.2016 and other co-accused on
whose confessional statement, name of the petitioner transpired,
has already been granted bail by this Court vide order dated
30.01.2017, passed in Criminal Miscellaneous No. 530 of 2017.



Heard learned A.P.P. also.

Having heard both sides, in view of the fact that petitioner's name transpired on this case only on the basis of confessional statement of co-accused and except that there is nothing against the petitioner and further on whose confessional statement name of the petitioner come in this case, has already been granted bail by this court, as such, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five) with two sureties of the like amount each to the satisfaction of learned CJM, Gopalganj, in connection with Barauli P.S. Case No. 125 of 2016, subject to the 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 cooperate 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 will be free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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