

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17804 of 2017

Arising Out of PS.Case No. -274 Year- 2015 Thana -SURSAND District- SITAMARHI

=====

Md. Murtuza Son of Mojibur Resident of Village-Hussaina P.S. Sitamarhi
District Samastipur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Uday Kumar, Advocate

For the Opposite Party: APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 11-04-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 08.02.2017 in connection with Sursand P.S. Case No. 274 of 2015 for the offences alleged under Section 395 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion and the first information report is against 25-30 unknown persons. The petitioner's name has surfaced on the extra-judicial confession of co-accused Idrish Nut along with two others who have been granted bail by this Court in Cr. Misc. No. 17950 of 2016. The petitioner has not been put on test identification parade nor there is any recovery of incriminating articles from his possession. The petitioner is on bail in respect of other prior cases, namely, Sursand P.S. Case No. 264 of 2013 and Belsand P.S. Case No. 124 of 2015 in which he has been made accused.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, 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 Sub-Divisional Judicial Magistrate, Pupri at Sitamarhi in connection with Sursand P.S. Case No. 274 of 2015 with 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 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.

(iv) 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.

B.T/Chandran

(Vikash Jain, J)

U		T	
---	--	---	--

