

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41709 of 2017

Arising Out of PS.Case No. -26 Year- 2017 Thana -ALOULI District- KHAGARIA

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1. Md. Amazad S/o Md. Matin resident of village - Fullkari, P.S. - Birpur,
District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tarun Kumar Sinha

For the Opposite Party/s : Mr. Umesh Lal Verma

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 12-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
07.02.2017 in connection with Sessions Trial No. 219 of 2017,
arising out of Alauli P.S. Case No. 26 of 2017, G.R. No. 329/17
for offences punishable under Sections 302, 201, 120-B of the
Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his son used to work with co-accused Md. Matin and his three
sons including the petitioner of selling blankets. There was certain
dues which had to be paid by co-accused Md. Matin, which was
deferred and Md. Matin sent the son of the informant (deceased)



Md. Sahrukh along with his sons for selling of blanket. Thereafter his son did not return. Later, on 06.02.2017 his son was found from the river and black mark was found on his throat.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case only on the basis of suspicion. He submits that there is no eye-witness to the alleged occurrence, charges have already been framed and petitioner undertakes to cooperate in the trial on day-to-day basis.

However, learned APP for the State opposes the prayer for bail stating therein that the deceased (son of the informant) had gone along with the petitioner and his two brothers for selling blanket and did not return.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Khagaria, in connection with Sessions Trial No. 219 of 2017, arising out of Alauli P.S. Case No. 26 of 2017, G.R. No. 329/17, subject to the following conditions :

- (i) Both the bailors of the petitioner would be close



relatives of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.

- (ii) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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