

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44297 of 2017

Arising Out of PS.Case No. -36 Year- 2016 Thana -HABIBPUR District- BHAGALPUR

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1. Iftekhhar @ Babu @ Mumma Khan, S/o Md. Sahim, a Resident of Village-Daudchak, P.s.-Habibpur, District-Bhagapur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harish Kumar

For the Opposite Party/s : Mr. Sri S. Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-10-2017 Heard the parties.

The petitioner seeks regular bail in connection with S. Tr. No.310 of 2017 arising out of Habibpur P.S.Case No.36 of 2016 registered for offences punishable under Sections 302/34 of the Indian Penal Code.

The petitioner is not named in the FIR, however, it appears that during the course of investigation of the case, the name has been taken by the co-accused in his confession.

Submission of the learned counsel for the petitioner is that except confession, there is nothing against the petitioner and he is in custody for about four months.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and



circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of A.D.J.- VIIth, Bhagalpur in connection with S.Tr. No.310 of 2017 arising out of Habibpur P.S.Case No.36 of 2016.

With 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 co-operate 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 is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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