

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49590 of 2017

Arising Out of PS.Case No. -75 Year- 2017 Thana -BARGANIA District- SITAMARHI

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Saddam Hussain s/o Late Samsuddin Ansari, resident of Village-
Kharihanian, P.S.- Dhaka, District- Motihari.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Sri Abhay Kumar Roy, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

2 18-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

This is a case registered under Sections 307 of the
Indian Penal Code later on added Section 302 and 120(B)/34 IPC
and Section 27 of the Arms Act.

The FIR has been lodged against unknown person
alleging that he had fired at the uncle of the informant at the saree
shop where the informant was also present.

Counsel for the petitioner submits that the petitioner's
name has been dragged in the instant case merely on the basis of
suspicion which figured in restatement of the informant that the
petitioner was planning to kill his uncle. He further submits that
on the basis of such suspicion he is in jail custody since
31.03.2017. Other than the suspicion there is no cogent material to
connect the petitioner with the allegation.



In the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Sitamarhi in Bargania P.S. Case No. 75 of 2017 subject to the conditions :

- (i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner.
- (ii) That the Petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.
- (iii) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

Prakash/-

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