

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8989 of 2017

Arising Out of PS.Case No. -292 Year- 2016 Thana -PURNEA SADAR District- PURNIA

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1. MD. MUSTAFA @ MD. MUSHTAK Son of Late Sk. Tetar resident of
Village : Khanuwa, P.S. : Hasanganj, District : Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikram Deo Singh
For the Opposite Party/s : Mr. Sri Manish Kumar 2
For Informant : Mr. Ram Pravesh.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-02-2017 The petitioner is in custody since 30.08.2016 in

connection with S.Tr. No. 446/2016, arising out of Purnia Sadar

(M) P.S. Case No. 292 of 2016, registered for offences punishable

under Sections 302, 201, 34 and 120(B) of the Indian Penal Code.

It has been submitted on behalf of the petitioner that
petitioner has not been named in the F.I.R, and only on the basis
of a suspicion that the petitioner was seen with the deceased, his
name has been dragged in the present case. Petitioner has no
criminal antecedent and has been in judicial custody since
30.08.2016.

Heard learned counsel for the State and learned counsel
for the informant. They could also not controvert the above
submission of learned counsel for the petitioner.

Having heard both sides, considering the facts and
circumstances of the case, the period of custody, the nature of
allegation and also that the petitioner has no criminal antecedent



and has been in judicial custody since 30.08.2016, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned 5th Additional Sessions Judge, Purnea in connection with S.Tr. No. 446/2016, arising out of Purnia Sadar (M) P.S. Case No. 292 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 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 is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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