

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51695 of 2017

Arising Out of PS.Case No. -329 Year- 2017 Thana -FORBESGANJ District- ARRARIA

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Mustakim Hajjam, Son of Late Idris Hajjam, Resident of Village-
Amouna, Ward No.07, Police Station- Jogbani, District- Araria.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rama Nand Poddar, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 13-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 15.05.2017 in connection with Sessions Trial No. 271 of 2017 arising out of Forbesganj P.S. Case No. 329 of 2017 for the offences alleged under Section 376 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated and there is no independent witness to support the prosecution case. No external injury has been found from the body of the informant. The daughter of the informant was examined by the Court below but she did not support the prosecution case. The informant was an employee of the petitioner and owing to some dispute, false allegation has been made. The petitioner claims clean antecedents.

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 3rd Additional Sessions Judge, Araria, in connection with Sessions Trial No. 271 of 2017 arising out of Forbesganj P.S. Case No. 329 of 2017, on 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.

(Vikash Jain, J)

Md. Ibrarul/-

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