

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13601 of 2017

Arising Out of PS.Case No. -335 Year- 2016 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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Azad Alam, son of Late Shekh Serajuddin, resident of Village-Jhumka,
P.S.-Sikha, District-West. Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arbind Kr. Sharma, Advocate

For the Informant : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-03-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Majhauria P.S.Case No. 335 of 2016 registered for the offences
punishable under Sections 363 and 364 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that
except confessional statement of co-accused before police in
which name of the petitioner has transpired, there is nothing
against him and he is in custody for three months having no
criminal antecedent.

Heard learned APP and learned counsel for the
informant.

Learned counsel for the informant has submitted that
on the basis of confessional statement of one co-accused the name
of the petitioner has transpired and from the house of the petitioner
one Mobile phone has been recovered and CDR location shows
that petitioner and co-accused were in direct contact with each
other. However, he could not point out that the Mobile is of



another person.

Having heard both sides and in view of the submissions as stated above, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, West Champaran, Bettiah, in connection with Majhaulia P.S.Case No. 335 of 2016, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties 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 reason, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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