

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No 12887 of 2018**

Arising Out of PS.Case No. -115 Year- 2017 Thana -BIND District- NALANDA  
(BIHARSHARIFF)

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Md Ashu, S/o Maso Tamtam @ Md Nasho Tamtam @ Md Masho Tamtam,  
Resident of Village- Asthawan, (Near Mosque), P.S. Asthawan, District-  
Nalanda.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr Upendra Kumar, Advocate

For the S t a t e : Mr Uday Chand Prasad, APP

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**CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD**

**ORAL ORDER**

**3      13-04-2018**

Heard learned counsel for the petitioner and the  
learned APP for the State.

Petitioner seeks bail in a case registered under  
Sections 302/120B of Indian Penal Code.

It is submitted on behalf of the petitioner that merely  
on the basis of suspicion, the petitioner has been implicated in this  
case though he has no criminal antecedent. It is further submitted  
that it is a case of false implication only on afterthought after  
recovery of dead body, on basis of statement made by the wife of  
the deceased, the petitioner has been implicated in this case. He is  
in custody in this case since 25.09.2017.

Considering the aforesaid submissions, his prayer for



bail 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 Additional Chief Judicial Magistrate, Biharsharif in Bind Police Station Case No 115 of 2017 subject to the following conditions:

(1) 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.

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)**

**M.E.H./-**

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