

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38646 of 2018

Arising Out of PS.Case No. -229 Year- 2016 Thana -BIRPUR District- SUPAUL

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Tanbir Alam, S/o Fajloo @ Fazloo @ Fazlu @ Fajanur Rahaman, R/o Vill.-
Chilmiliya, Ward No. 14, P.S.- Birpur, District- Supaul

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhav Jha, Advocate.

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 04-07-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Birpur P.S. Case No. 229 of 2016** instituted for the offence under Sections 364, 302, 120B and 201 of the Indian Penal Code.

In the written report it is alleged that son of the informant had gone to take payment of due wages from co-villager Nazmul, but he did not return till 4:00 p.m. The informant along with his wife made search and on 17.09.2016 the informant heard noise in the field that one dead body was lying. The informant identified the dead body of his son.

Learned counsel for the petitioner has submitted that petitioner is not named in the written report. The name of the petitioner has been disclosed by co-accused Md. Firoz in his confessional statement. It has further been submitted that co-accused Nurul Hodda



@ Hadi and Hayat @ Hayat Ali have been granted anticipatory bail by this Court vide order dated 11.05.2018 passed in Cr. Misc. 15218 of 2018 along with Cr. Misc. 13191 of 2018.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Birpur P.S. Case No. 229 of 2016**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate, Birpur, Supaul**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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