

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61636 of 2018

Arising Out of PS.Case No. -692 Year- 2017 Thana -KISHANGANJ District- KISANGANJ

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Raj @ Raj Alam, S/o Rashid, Resident of Ruidhasa (New Gariban
Mohalla) Ward NO. 24, P.O. and P.S. Kishanganj, District- Kishanganj.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. D.K.Sinha, Senior Advocate and
Mr.Bajarangi Lal & AK Ghosh, Advocates

For the Opposite Party : Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 10-10-2018 Heard learned counsel for the petitioner and
learned counsel for the State.

Petitioner's prayer for bail was earlier rejected by
this Court vide order dated 3.5.2018, passed in Cr.Misc.No.
17248 of 2018. He is an accused in a case registered for offence
under sections 302, 201/34 IPC.

Learned senior counsel for the petitioner, pointing
to the charge sheet/final form dated 13.6.2018 (Annexure 4 of
the bail application) submits that police could not find the case
true against the petitioner as such petitioner was not sent up for
trial. However, the court below, differing with the same, has
taken cognizance of the offences against the petitioner. Learned
senior counsel further submits that the case is of accidental
death and bona fide of the petitioner would be evident from the



fact that there is no allegation in the FIR of coercing the victim to go along with him and he had gone with the accused on his own volition. Petitioner has no criminal antecedent and is in custody since 26.12.2017.

Considering the aforesaid submissions, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned above, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Sessions Judge, Kishanganj in Sessions Trial No. 99 of 2018, arising out of Kishanganj Police Station Case No. 692 of 2017 on the following conditions:-

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.

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)

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