

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36865 of 2018

Arising Out of PS.Case No. -50 Year- 2017 Thana -NTPC District- BHAGALPUR

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Goldi @ Ghufan Ahmad, son of Imtiaz Alam, resident of Mohalla- Sultan Nagar, Bokaro Steel City, Police Station- Chas, District- Bokaro in the State of Jharkhand.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Ataul Haque

For the Opposite Party/s : Mr. Smt. Veena Rani Prasadd.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 27-06-2018 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner had earlier moved for bail which was rejected vide order dated 15.03.2018 in Cr. Misc. No. 11974 of 2018.

Petitioner is languishing in judicial custody since 16.11.2017 in connection with Sessions Trial No. 199 of 2018 arising out of Kahalgawn N.T.P.C. P.S. Case No. 50 of 2017 for offences punishable under Sections 365, 376, 366, 306, 497, 438 and 34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that her daughter Juli Bharti aged 23 years had gone out for shopping but did not return.



It has been submitted by the learned counsel for the petitioner that he is innocent, not named in the F.I.R. and just because he was the paramour of the deceased Juli Bharti whose dead body was found on the railway track near Pakur that he has been made accused. He submits that both petitioner and the deceased had love affair and they had eloped to Kolkata but he had put her in the train from Kolkata and did not know about her thereafter. He submits that there is no eye witness to the alleged occurrence, charges have been framed and the petitioner is ready to cooperate in the trial.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st A.D.J. Bhagalpur in connection with Sessions Trial No. 199 of 2018 arising out of Kahalgawn N.T.P.C. P.S. Case No. 50 of 2017, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.



(2) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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