

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2685 of 2018

Arising Out of PS.Case No. -72 Year- 2017 Thana -RAUTA District- PURNIA

=====

1. Md. Babar Son of Abdul Majid Resident of Village- Domohani P.S.
Routa District Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Umanath Mishra

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 16-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Routa P.S.
Case No. 72 of 2017 for offences punishable under Sections 302,
120-B of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his father Md. Farooque Alam along with his son aged nine
years had gone to the market and while returning petitioner along
with three persons intercepted them. Specific allegation upon the
petitioner is of giving dardia blow on the father of the informant,
who succumbed to the injury.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history, there was land dispute between the parties and that some of the co-accused have been granted privilege of bail by coordinate Benches of this Court. He further submits that charge-sheet has already been submitted, there is no allegation of tampering of the prosecution witnesses by the petitioner and he is languishing in judicial custody since 11.07.2017.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner is the main assailant, who has been seen by the nine year old son of the informant.

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 Addl. Chief Judicial Magistrate-II, Purnea, in connection with Routa P.S. Case No. 72 of 2017, subject to the conditions that:

- (1) Both the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating their 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)

Rajesh/-

U		T	
---	--	---	--

