

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5956 of 2019

Arising Out of PS. Case No.-145 Year-2018 Thana- KURSAKANTA District- Araria

Maimul Haque, Male, aged about 35 years, S/o Late Mumtaz Ali @ Late Mumtaz R/o village- Batraha, Ward no. 11, P.S.- Kursakanta, Sonamani Gudam O.P, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar, Adv.

For the Opposite Party/s : Mr.Abhay Kumar (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 07-02-2019 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Kursakanta P.S. Case No. 145 of 2018 registered for the offences punishable under Sections 302, 120(B) of the Indian Penal Code.

Informant has alleged that there is land dispute between him and FIR named accused. It has been further alleged that on 30.06.2018 Md. Zakir Hussain and Md. Bablu took away his son to play cricket and thereafter his dead body was found where his throat was slit. It has been submitted that one of the eye-witness had seen Md. Zakir and Md. Bablu slitting the throat of his deceased son.



It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. There is no specific allegation against the petitioner and only allegation is that he used to threat him due to land dispute. Petitioner is in custody since 27.09.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-V, Araria, in connection with Kursakanta P.S. Case No. 145 of 2018, G.R. No. 2070 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (3) If the 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.

(S. Kumar, J)

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