

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32752 of 2019

Arising Out of PS. Case No.-45 Year-2000 Thana- PRANPUR District- Katihar

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Noor Alam @ Captain Son of Late Sahabuddin @ Samsuddin Resident of
Village - Purana Magarchhala, P.S.- Pranpur, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 04-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 328, 302, 201, 406/34 of the Indian Penal Code.

The earlier bail application of the petitioner was
rejected vide Annexure 1 to the present application with an
observation 'at this stage'.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 14.04.2018. There is no
allegation of tampering of witnesses alleged against the
petitioner. Due to previous enmity, the petitioner has been made
accused in the present case. It is a case of last seen. There is no
eye witness to the alleged occurrence. The date of occurrence is
5.7.2000 and the F.I.R. was instituted on 15.09.2000. Delay has



not been explained by the prosecution.

A report was called for from the court below. It has been reported that out of ten witnesses, only five witnesses have been examined.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge IV-cum-F.T.C. II, Katihar in connection with S.T. No.187 of 2018 arising out of Prampur P.S. case No.45 of 2000, subject to the condition that the petitioner shall be present on each and every date fixed by the trial court, failing which the trial court will be at liberty to cancel the bail of the petitioner.

(Sudhir Singh, J)

Narendra/-

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