

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40888 of 2019

Arising Out of P.S. Case No.-17 Year-2019 Thana- BHITAHA District- West Champaran

Alauddin @ Musa @ Allaiddin, aged about 45 years, Male, Son of Late Mumtaz Ahmad Resident of Village - Sheikhpura Bhuidharava, P.S.- Bhitaha, Distt - West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Prithvi Nath Mishra, Advocate
For the Opposite Party : Mrs. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 16-10-2019 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor and perused the case diary.

The petitioner is in custody in connection with Bhitaha P.S.Case No.17 of 2019 registered for an offence under Sections 395 and 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, the informant alleges that his brother , who was working in Bharat Finance Inclusion Limited Company, Branch Dudahi Bazar, U.P., and during course of collection of money from the local villagers, he was shot dead by some unknown persons.

It is submitted on behalf of the petitioner that the petitioner has falsely been implicated in this case due to ulterior motive of the informant. It is further submitted that the



petitioner's name has transpired during course of investigation. There is no eye witness to the alleged occurrence. It is further submitted that petitioner is not named in the FIR. Chargesheet has already been submitted and petitioner is in custody since 09.03.2019.

In view of the aforesaid facts, let the above named petitioner be released 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 Additional Chief Judicial Magistrate-Ist, Bagaha (West Champaran) in connection with Bhitaha P.S.Case No.17 of 2019 with following conditions:-

(i) Petitioner shall cooperate 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 the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(ii) 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.

B.Kr./-

(Prabhat Kumar Singh, J)

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