

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45615 of 2019

Arising Out of PS. Case No.-23 Year-2019 Thana- JALALGARH District- Purnia

Md. Farooque Azam @ Md. Farooque Alam S/O- Late Abul Hassan Resident
of Village- Lakhnarai, P.S.- Jalalgarh, District- Purnea.

... .. Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr.Nafisuzzoha, Advocate
For the Opposite Party : Mr.Rajeev Nayan (APP 231)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 20-09-2019 Heard learned counsel for the parties and perused the
case diary.

Petitioner is an accused in a case registered for the
offence punishable under section 395 of the Indian Penal Code.

It is alleged that 10 to 12 masked miscreants, putting
impediment on the road, looted cash belongings and mobile
phones from the informant and his companions.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case. Petitioner's
name has been taken by co-accused Md. Shamshad, though no
incriminating material has been recovered from the possession
of the petitioner to connect him with the offence. Petitioner has
not been put on test identification parade (TIP) till date.
Petitioner is in custody since 27.4.2019.

In view of the facts and circumstances of the case,



prayer for bail of the petitioner is allowed. Let the petitioner, mentioned above, 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 the Sub Divisional Judicial Magistrate, Purnea in Jalalgarh Police Station Case No. 23 of 2019 on the following conditions:-

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

(2) If the petitioner tempers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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