

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50342 of 2019

Arising Out of PS. Case No.-20 Year-2019 Thana- KODHOBARI District- Kishanganj

Imtiyaz Alam aged about 54 years Male Son of Samiruddin Resident of village- Rangapani, P.S.- Dighalbank, District- Kishanganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ram Prawesh Kumar, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 13-08-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 341, 323 and 306/34 of the Indian Penal Code registered in connection with Kodhobari P.S. Case No. 20 of 2019.

3. It is submitted that the petitioner has been falsely implicated merely because he happens to be the brother-in-law of accused Irshad with whom the informant's daughter had love affair and wanted to marry. However, Irshad solemnized marriage with another girl and when she confronted with him in his house she was ousted by Irshad and the petitioner. It is submitted that the victim became depressed as a result of this incident and committed suicide. It is therefore submitted that even according to the FIR, the ingredients of Section 306 of the IPC are not made out. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand)



with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in connection with Kodhobari P.S. Case No. 20 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

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