

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78530 of 2018

Arising Out of PS. Case No.-242 Year-2018 Thana- BAHADURGANJ District- Kishanganj

Khalilur Rahman alias Md. Khalilur Rahman son of Late Kalimuddin resident
of village Betbari Tola Sangat P.s. bahadurganj District Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 08-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Bahadurganj P.S. Case No. 242 of 2018
registered for the offences punishable under Sections 147, 148,
149, 323, 420, 467, 468, 471, 384, 120(B)/34 of the Indian
Penal Code.

Informant has alleged in his complaint petition that
petitioner has sold the land which was in the name of his
brother as his own land for which the Title suit is pending
between the parties.

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 bonafide land dispute



between the parties which is pending before the Civil Court as such no criminal offence is made out. Petitioner has no criminal antecedent and is in custody since 05.10.2018.

Considering the aforesaid fact 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 Chief Judicial Magistrate, Kishanganj, in connection with Bahadurganj P.S. Case No. 242 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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