

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63399 of 2019

Arising Out of PS. Case No.-209 Year-2019 Thana- BAHADURGANJ District- Kishanganj

1. NOOR ALAM @ NOOR KAMAL S/o- Hakimuddin Resident of Village- Maj, Gagawan, P.S.- Kochadhaman, District- Kishanganj.
2. Nehal @ Md. Nehal Alam S/o- Hakimuddin Resident of Village- Maj, Gagawan, P.S.- Kochadhaman, District- Kishanganj.
3. Noor Jamal S/o- Hakimuddin Resident of Village- Maj, Gagawan, P.S.- Kochadhaman, District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Sinha

For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 21-10-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 376, 313, 120(B) and 34 of the Indian Penal Code, registered in connection with Bahadurganj P.S.Case No. 209 of 2019.

3. It is submitted that the petitioners have been falsely implicated on the accusation that co-accused Mazhar Alam established physical relationship with the informant, who were college classmates on the pretext of marriage, but subsequently resiled from his promise. The petitioners have been implicated



merely because they happen to be brothers of the said co-accused Mazhar Alam. The ingredients of the offences alleged are not attracted as concerns the petitioners, who claim clean antecedents.

4. Be that as it may, in the event of petitioners' arrest or surrender before court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kishanganj in connection with Bahadurganj P.S.Case No. 209 of 2019, subject to the conditions as laid down under Section 438(2) Cr. P.C. and also subject to the following further conditions:

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

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

(iii) That the petitioners shall co-operate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioners 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, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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