

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68375 of 2019

Arising Out of PS. Case No.-578 Year-2018 Thana- KISHANGANJ District- Kishanganj

MD. RAFIQUE ALAM @ RAFIQUE ALAM Son of Najafa @ Najimuddin
Resident of Village - Baldiya Bhasa, P.S.- Goalpokhar, Distt - Uttar Dinajpur
(W.B.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amal Kumar Sinha

For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-10-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 395, 397, 412 of the Indian Penal Code and Sections 3/4
of Explosive Substance Act and Sections 25(1-b) (1), 26, 27, 35
of the Arms Act.

Allegation is that the accused persons on the point of
pistol, knife etc. looted four watches and Rs.13,000/- cash. On
seeing police party, the miscreants started fleeing away by
firing, on account of which Hawaldar Vishwa Uraon received
gun shot injury and during course of treatment he died. In
counter firing by the police, one miscreant was also shot dead.

It has been submitted on behalf of the petitioner that



the petitioner is in custody since 2.7.2019 and has got no criminal antecedent. Charge sheet has been submitted in the case. There is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired in this case on disclosure made by co-accused Takbul Haque and Masud Alam. There is no recovery of arms from the possession of the petitioner. The petitioner has not been put on T.I.P.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds 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 Kishanganj P.S. case No.578 of 2018.

(Sudhir Singh, J)

Narendra/-

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