

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75422 of 2018

Arising Out of PS. Case No.-313 Year-2018 Thana- MUFFASIL District- West Champaran

Soaib Alam @ Saiyad Soaib Alam S/o Md. Jami @ Jamil Resident of Village-
Chhawani, P.S.-Manuapul Bettiah Muffasil, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Aditya Nath Jha, Advocate
For the Respondent/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 15-01-2019 Heard the learned counsel for the petitioner and
learned counsel appearing on behalf of the State.

Petitioner who is in custody since 23.06.2018 seeks
bail in connection with Manuapul (Bettiah Muffasil) P.S. Case
No.313 of 2018 for the offence alleged under Sections 147,
148, 149, 323, 341, 384, 302 and 379 of the Indian Penal Code.

The prosecution case as lodged by the informant is
that while he along with his son Vishal Singh went to purchase
vegetables, the petitioner and 10 other co-accused persons
started assaulting the informant's son by means of knife; on
which he succumbed to the injuries while being taken to the
hospital.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has falsely been implicated in



the aforesaid case. He submits that there was enmity between the informant's son and the other rival groups and of the rival group person, one Belal @ Aurangzeb confessed that he has stabbed the informant's son. He further submits that general and omnibus allegations have been levelled against all the 11 co-accused including the petitioner and some of the accused named in the FIR have been granted the privilege of bail by the coordinate Benches of this Court in Cr.Misc.No.50535 of 2018 dated 08.10.2018 and Cr.Misc.No.72692 of 2018 dated 11.12.2018.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Bettiah (Mufassil) Manuapul P.S.Case No.313 of 2018 to the satisfaction of CJM, Bettiah (West Champaran), subject to the following conditions:-

(i) One of the bailors would be a close relative of the petitioners having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.



(ii) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(iii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned Court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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