

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78712 of 2018

Arising Out of PS. Case No.-275 Year-2018 Thana- KHAJEKALA District- Patna

Tajju @ Ali Imam S/o Inam @ Inamul Haque R/o Mohalla-Magalpura
Sheikha Ka Roza,P.S. Khajekalan,Distt.-Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rina Sinha, Adv.

For the Opposite Party/s : Mr.Sri Asharaf Ansari (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 16-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Khajekalan P.S. Case No. 275 of 2018
registered for the offences punishable under Sections 302/34 of
the Indian Penal Code and Section 27 of Arms Act.

Informant has alleged in his written complaint that
on 13.08.2018 at 5 P.M. when he came back after his duty he
was informed that his maternal cousin brother Tanvee Alam has
been killed while he was on his motorcycle by the F.I.R. named
accused including the petitioner.

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 general and omnibus
allegation against all the F.I.R. named accused including the



petitioner. It has been further submitted that Sonu had earlier instituted a case against informant as such all family members have been implicated in this case. Informant is not an eye-witness and has not disclosed the source of his information. Petitioner is in custody since 14.08.2018.

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 S.D.J.M., Patna City, Patna, in connection with Khajekalan P.S. Case No. 275 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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