

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84967 of 2019

Arising Out of PS. Case No.-450 Year-2019 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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IMTEYAZ ALAM @ THARU Son of Md. Safi Resident of Village - Sirsiya
Kala, P.S. - Adapur, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh
For the Opposite Party/s : Mr.Nityanand

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 20-12-2019 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Section 395 of the Indian Penal Code.

Informant in his written complaint has alleged that while he along with driver were transporting plastic grain on his Truck, six miscreants intercepted Truck and over powered them on the strength of arms and thereafter took away Truck with plastic grains. However, since GPS was installed in the said Truck, it was soon located and was taken into custody by the police and the person who were unloading the sack were apprehended by the police on the spot.

It has been submitted on behalf of the petitioner that



petitioner has been falsely implicated in this case on the basis of statement made by one of the co-accused Suresh Sahani who has stated that petitioner is the landlord and he is also involved in the crime and on said confession from the house of petitioner Fan and Cooler were recovered which were not looted articles. It has been further submitted that accused were tenants and had taken his premise on rent and he has no concern with the activities of his tenant. Petitioner has been granted regular bail in Adapur P.S. Case No. 156 of 2019 and present case is off short of said case and except this petitioner has not been implicated in any other case. Petitioner has been remanded in this case on 05.11.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Kanti P.S. Case No. 450 of 2019**, with following 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 the Court and his/her absence on two consecutive dates without sufficient reason, his/her 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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