

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 4259 of 2020

Arising Out of PS. Case No.-230 Year-2019 Thana- RAGHOPUR District- Supaul

Md. Shah Alam @ Nanhe aged about 30 years Male Son of Late Abdul Motalib Resident of Village - Sourajan Machha, P.S.- Raghapur, Distt - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 29-01-2020 Heard learned counsel for the parties.

The petitioner seeks bail in Raghapur P.S. Case No. 230 of 2019 registered for the offence under Sections 302, 120(B)/34 of the Indian Penal Code.

The prosecution case, in brief, is that all the F.I.R. named accused persons, including the petitioner, 10-12 days prior to the occurrence had threatened the brother of the informant with dire consequences and on 28-10-2019 at about 10AM, the informant got an information that his brother was lying dead near Sabzi Haat of Kailash Prasad.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case due to political rivalry. It is further submitted that in this case, there is no eye-witness and only on the suspicion, the petitioner has been



named, as accused, in the F.I.R. It is also submitted that petitioner is next door neighbour of the deceased. In this case, chargesheet has already been submitted and there is no allegation against the petitioner of tampering with the evidence. The petitioner is in custody since 29-10-2019, having no criminal antecedent.

Considering the aforesaid facts and circumstances as well as nature of accusation, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Birpur at Supaul in connection with Raghopur P.S. Case No. 230 of 2019 on the following conditions:

“(1) Petitioner shall cooperate 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 on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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