

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 59765 of 2019

Arising Out of PS. Case No.-508 Year-2011 Thana- SASARAM NAGAR District- Rohtas

Jamalu Khan @ Jamaluddin Khan, aged about 50 years (Male), Son of Ali Emam Khan Resident of Village-Makrayeen, P.S-Dalmiya Nagar, District-Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Tripathy

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4. 29-01-2020 Heard learned counsel for the parties.

The petitioner seeks bail in Sessions Trial No. 205 of 2019, arising out of Sasaram Model P.S. Case No. 508 of 2011 registered for the offence under Sections 419, 420, 406, 506, 364, 34 of the Indian Penal Code. Later on, Section 302 of the IPC was added in F.I.R.

As per prosecution case, one Markandey Singh had taken one lac rupees from husband of the informant for providing her employment as ANM at Muzaffarpur and further, he (Markandey Singh) in connivance with his two sons had also taken fifteen lacs rupees from husband of informant for transfer of some land, but he neither provided job to informant nor executed any peace of land to husband of informant. Thereafter,



when the husband of informant approached to Markandey Singh for returning his money, he went missing and subsequently thereafter, his dead body was found.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case and his name has come during course of investigation on the confession of co-accused Hari Narayan Ram, who has already been granted bail by this Court, vide order dated 27-06-2012 passed in Cr.Misc. No. 3526 of 2012. It is further submitted that main accused Markandey Singh, against whom there was serious allegation, has already been granted bail by this Court, vide order dated 21-01-2013 passed in Cr.Misc. No. 27495 of 2012. as well as one another co-accused Kallu Khan @ Firoz Khan has also been granted bail by this Court, vide order dated 07-02-2013 passed in Cr.Misc. No. 3948 of 2013 (all bail orders are kept at Annexure 2 series). The petitioner is in custody since 24-07-2018.

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 Addl. Sessions Judge XV, Sasaram,



Rohtas in connection with S.Tr. No. 205 of 2019, arising out of
Sasaram (Model) P.S. Case No. 508 of 2011 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.)

anay

U		T	
---	--	---	--

