

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 79565 of 2019

Arising Out of PS. Case No.-124 Year-2016 Thana- RAMGARHWA District- East
Champaran

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SK. SAYED @ BHULAKAR @ SEIKH SAYED S/o Md. Hassnain R/o
village- Murgiya Tola, P.S.- Ramgarwaha, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saroj Kumar Sharma, Adv.

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 30-09-2020

The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.

Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 307, 427, 302, 504 and 506 of the I.P.C. and Section 27 of the Arms Act.

Petitioner had earlier moved this Court for regular bail vide Cr. Misc. No. 80676 of 2018 which was rejected on 26.02.2019 with a direction to the trial court to conclude the trial within one year.



Allegation against petitioner and other co-accused is of killing the father of informant.

It has been submitted on behalf of petitioner that he is innocent and has been falsely implicated in this case due to land dispute and previous enmity. It has been further submitted that similarly placed co-accused, namely Sk. Neshar @ Sheikh Neshar has been granted bail by a co-ordinate Bench of this Court vide order dated 25.09.2020 passed in Cr. Misc. No. 85413 of 2019 and other co-accused have also been granted bail by a co-ordinate Bench of this Court as contained in Annexure-3 series. Petitioner has no criminal antecedent and he is in custody since 26.04.2018.

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/- (twenty thousand) with two sureties of the like amount to the satisfaction of learned S.D.J.M., Raxaul at Motihari, in connection with Ramgarhwa P.S. Case No. 124 of 2016 subject to the conditions that:-

(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 his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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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