

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76463 of 2019

Arising Out of PS. Case No.-26 Year-2018 Thana- RAMGARHWA District- East Champaran

SEKH KAMROOL HODA @ SHEIKH KAMROOL HODA @ KAMROOL
HODA Son of Sekh Sobarati Resident of Village - Bishunpurwa, P.S.-
Shedhwa, Distt - Parsa (Nepal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saroj Kumar Sharma

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 22-01-2020 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 302/201/379/34 of the Indian Penal Code.

Informant has alleged that on 12.02.2018 her husband went from the house saying that he will return after servicing of the Scorpio vehicle but he did not return. Next morning, his dead body was found lying on the road.

Earlier also, petitioner had moved this Court for grant of regular bail which was rejected vide Annexue 1 with direction to the trial court to conclude the trial within one year from the date of receipt/production of a copy of this order.

It has been submitted on behalf of the petitioner that



he is innocent and has falsely been implicated in this case due to previous enmity and land dispute. It has further been submitted that only fault on part of the petitioner is that he purchased the Scorpio vehicle from his relative namely Md. Saddam without verifying the paper of said vehicle. Similarly placed co-accused Sajjad and Sheikh Saddam @ S. K. Saddam have already been granted bail by this Court as contained in Annexure 3 series. Petitioner has no criminal antecedent and he is in custody since 22.07.2018.

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/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Ramgarhwa P.S. Case No. 26/2018, 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 absence on two consecutive dates without sufficient reason, 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)

Sanjay/-

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