

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4542 of 2021

Arising Out of PS. Case No.-120 Year-2020 Thana- SIDHWALIYA District- Gopalganj

FIROZ ALAM @ HUSNAIN ALAM SON OF MANSUR ALAM
RESIDENT OF VILLAGE- BAZAR KHAJURAI, POLICE STATION-
SIDHWALIA, DISTRICT- GOPALGANJ

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Raghav Prasad, Advocate
For the Opposite Party/s : Ms. Gulnar Begum, APP0]]l

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 14-07-2021

In view of sudden resurgence of COVID – 19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Heard learned Counsel for the petitioner and the learned APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Sidhwalia PS Case No. 120 of 2020 registered under Sections 341, 342, 307 and 364/34 of the IPC.

The FIR alleges that from the field where the informant had gone for running, he has been taken away by the petitioner along with co-accused Ashlam by putting him in a bag. At some distance the bag has been abandoned. The informant thereafter has been recovered. There is allegation of assault by brick levelled against co-accused Ashlam.

Learned Counsel for the petitioner submits that the prosecution story is indicative of the fact that the petitioner and the informant were at the playground at the time of alleged occurrence. This is a false case lodged arising out of a dispute occurred during



course of sports in the field. The accused and the victim are all young persons, aged between 18 – 22 years. The petitioner has no criminal antecedent and there is no allegation of assault against the petitioner. He is in custody since 14.7.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Smt. Shobhna Tripathi, Judicial Magistrate, 1st Class, Gopalganj in Sidhwalia PS Case No. 120 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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