

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31058 of 2021

Arising Out of PS. Case No.-834 Year-2020 Thana- BIHAR District- Nalanda

TAUFIQ ALAM S/o Late Mohammad Rafiq Resident of Village- Mafi, P.S.-
Ashthawan, District- Nalanda, at present behind the Jama Masjid, Mallick
Tolla, P.S.- Asthawan, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binit Kumar, Advocate
For the Opposite Party/s : Mr. MaruthNath Roy, APP
For the Informant : Mr Ravindra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 11-02-2022 Heard learned counsel for the parties through video
conferencing.

The petitioner has preferred this application for grant
of regular bail in a case registered under section 363 of the
Indian Penal Code.

As per the prosecution case, the younger son of the
informant who had proceeded to attend a marriage did not return
and was not to be found. It subsequently transpired that he was
with one Md. Chand.

It is submitted by learned counsel for the petitioner
that the FIR was registered against unknown. The dead body of
the son of the informant was found in course of investigation



and section 302, 201 and 120B of the Indian Penal Code was added. It is submitted that the name of the petitioner transpired in the confessional statement of co-accused Md. Chand. Even as per the said confessional statement it was Prince @ Badre Alam who killed the son of the informant. So far as the petitioner is concerned, his vehicle was used in the occurrence. The petitioner is in custody since 25.12.2020 and has no criminal antecedent. Chargesheet has been submitted in the case.

The application for bail is opposed by learned APP for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that it has transpired in course of investigation that the taxi of the petitioner was used in commission of the offence. The petitioner was present at the time of occurrence and participated with the other accused persons.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the material that has transpired in course of investigation together with the petitioner having remained in custody for over 1 year, the petitioner is directed to be enlarged on bail in connection with Bihar P.S. Case no. 834 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of the learned Chief Judicial
Magistrate, Nalanda at Bihar Sharif.

(Partha Sarthy, J)

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