

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72256 of 2021**

Arising Out of PS. Case No.-101 Year-2020 Thana- DIGHALBANK District- Kishanganj

Nazir Alam @ Najir Alam Son of Samiruddin Resident of Village- Patkoi
Khurd, P.S.- Kochadhaman, District- Kishanganj. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 26-05-2022 Heard the parties.

The petitioner is in custody in connection with
Dighalbank P.S. Case No. 101 of 2020 registered for the
offence under sections 279, 337, 338, 304A, 304 of the Indian
Penal Code.

As per the FIR on 11.11.2020, the informant's
brother and his wife along with their children were coming on
a motorcycle which was hit by a Bolero vehicle driving in a
rash and negligently manner which caused instant death of
the child while the informant's sister-in-law was also
seriously injured. The petitioner who was driving the vehicle
was taken into judicial custody and he is in custody since
13.11.2020.

Considering the period he has already in jail i.e.
13.11.2020 as also the fact that charge-sheet stands submitted,



this Court is inclined to grant him the privilege of bail subject to the certain conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj, in connection with Dighalbank P.S. Case No. 101 of 2020 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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