

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55267 of 2022

Arising Out of PS. Case No.-455 Year-2021 Thana- SIWAN CITY District- Siwan

Taufique Alam, Son of Asefake Alam, Resident of- 616A, Sheikh Mohalla,
P.S.- Siwan Town, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyendra Rai, Advocate

For the Opposite Party/s : Mr.Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 11-01-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Siwan
Town P.S. Case No.455 of 2021 giving rise to S.Tr. No.106 of
2022 registered for the offence punishable under Sections 394,
302 of the Indian Penal Code.

Informant's husband has been killed by a sharp
weapon and his dead body has been found near Reliance Digital
at Babunia Station Road. FIR is lodged against unknown
persons.

Learned counsel for the petitioner submits that based
on disclosure made by some spy, the petitioner has been
implicated in this case. There is no recovery from the petitioner,
though FIR alleges that the deceased was robbed of his



belongings. The petitioner is in custody since 01.09.2021 and has no antecedents.

Apart from the alleged intimation by spy, the petitioner's confessional statement has been recorded. In view thereof, the petitioner's implication is without any cogent material emerging in the investigation. Similarly situated co-accused, who was implicated based on the statement of another co-accused, has been allowed bail in Cr.Misc. No.8767 of 2022.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, manner of petitioner's implication, his clean antecedents and his custody since 01.09.2021, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-III, Siwan, in connection with Siwan Town P.S. Case No.455 of 2021 giving rise to S.Tr. No.106 of 2022, 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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