

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.1394 of 2011
NAKKATIA @ NAKATTI @ ZIYAUL, son of Late Naimuddin, village Sibrampur, PS Azam
Nagar, District Katihar – Petitioner.
Versus
THE STATE OF BIHAR

5 31.5.2011

Heard learned counsel for the petitioner and the State.

The petitioner is accused in a case under sections 302, 452 and 379 of the Penal Code and 3/4 of the Explosive Substance Act.

Learned counsel for the petitioner submits that the petitioner was not named in the FIR and his name transpired only after the supplementary charge sheet was submitted in 2000. Learned counsel further submits that co-accused persons, namely, Md. Nasiruddin, Md. Samir and Ghulam Rabbani have been acquitted vide judgment, dated 27.5.2011. The petitioner has absconded in this case and did not surrender until 20.6.2010. It is submitted by petitioner's counsel that the petitioner has amply been punished for not surrendering in time.

Considering the aforesaid facts, petitioner is directed to be released on bail in connection with S.T. No. 337/2010 arising out of Azam Nagar P.S. Case No. 168 of 2000 on furnishing bail bond of rupees ten thousand with two sureties of the like amount each to the satisfaction of the Addl. Dist. And Sessions Judge, FTC IV, Katihar, with the conditions that the petitioner must appear before the court on each and every date and if he absents

even on a single date without cause, his bail bond shall stand cancelled, the attested copies of photographs of the bailers should be affixed on the bail bond and one of the bailer should be closely related to the petitioner.

haque

(Sheema Ali Khan, J.)

