

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26033 of 2017

Arising Out of PS.Case No. -67 Year- 2016 Thana -KHAIRA District- JAMUI

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Md. Eqbal Ansari @ Panchu Mian @ Panchu Son of Late Jahir Mian,
resident of Village- Badahi, P.S.- Khaira, District- Jamui.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate

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

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

5 31-08-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
24.12.2016 in connection with Khaira P.S. Case No. 67 of 2016
registered for the offence punishable under Section 302 and other
allied sections of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while his brother Choba Mian had gone out of the house in the
night, 10-12 unknown criminals have killed his brother.

It has been submitted by the learned counsel for the
petitioner that he is not named in the First Information Report and
just because he is acquainted with Md. Amanat, who had



confessed before the police about his involvement and that petitioner was accompanying him, he has been made accused. He submits that there is no allegation of assault by the petitioner on the deceased and that confessional statement of the co-accused before the police has no evidentiary value in the eye of law. He submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jamui in connection with Khaira P.S. Case No. 67 of 2016, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned Court below on each and every date and failure



to appear on two consecutive dates without assigning any reason
will entail cancellation of his bail bonds.

(Nilu Agrawal, J.)

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