

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3721 of 2018

Arising Out of PS.Case No. -364 Year- 2017 Thana -RANIGANJ District- ARRARIA

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Md. Ariz, Son of Late Md. Ahad Hussain, Resident of Village- Mirzapur,
Ward No. 11, Police Station- Simraha, District- Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Pravesh Nath Tiwari

For the Opposite Party/s : Mr. Smt. Rita Verma

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 15-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Raniganj P.S.
Case No. 364 of 2017, G.R. No. 3165 of 2017 for offences
punishable under Sections 302, 201/34 of the Indian Penal
Code.

The prosecution case, as lodged by the informant, is
that his son Md. Intekhab @ Bablu was taken by the petitioner
for watching Muharram fair and did not return. His dead body
in an injured condition was found on the highway.

It has been submitted by the learned counsel for the



petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that there is no eye witness to the alleged occurrence and there was no motive behind the alleged offence as both the deceased and the petitioner had good relations. He submits that it was an accidental death as all the abrasion and bruises found in the postmortem report suggests the same. He submits that charge-sheet has been submitted and the petitioner is languishing in judicial custody since 05.10.2017 for no fault.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged 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 Chief Judicial Magistrate, Araria in connection with Raniganj P.S. Case No. 364 of 2017, G.R. No. 3165 of 2017, subject to the conditions that:

(1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(2) Petitioner will appear before the learned



court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/-

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