

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14339 of 2019

Arising Out of PS. Case No.-342 Year-2018 Thana- TAJPUR District- Samastipur

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AATIF @ SAIYAD ATIF @ SYED AATIF WASFI, Son of Zulfaquar Wasfi,
Resident of Mohalla- Dharampur, Town, P.S. and District- Samastipur.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh

For the Opposite Party/s : Mr.Nitya Nand Tiwary

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 02-05-2019 Petitioner seeks bail in anticipation of his arrest in connection with Samastipur Tajpur P.S. Case No. 342 of 2018 registered for the offences punishable under Sections 302/34, 120B of the Indian Penal Code and Section 27 of the Arms Act.

Allegation as per FIR is that two unknown miscreants had fired on the husband of the informant, causing his death and during investigation name of petitioner transpired in the confessional statement of co-accused and also in the C.D.R. location.

Submission of learned counsel for the petitioner is that he is a student of law in Aligarh Muslim University and he has falsely been implicated only because material has come against his brother and except confessional statement and C.D.R. details, nothing has come against the petitioner.

Heard learned APP and learned counsel for the



opposite party No.2. They have opposed the prayer for anticipatory bail on the basis of the confessional statement and C.D.R. details.

Having heard both sides and in the facts and circumstances, let petitioner surrender within a period of four weeks from the receipt of this order and on surrender he will be released on provisional bail till the submission of charge sheet to the satisfaction of the court below and during that period petitioner will appear before the police and Investigating Officer to co-operate in the investigation. However, after investigation if charge sheet is submitted and serious incriminating material comes in the case diary apart from the confessional statement and C.D.R. details, petitioner has to surrender and make prayer for regular bail, which shall be considered on the basis of materials available on the record.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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