

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79747 of 2018

Arising Out of PS. Case No.-221 Year-2016 Thana- KATEYA District- Gopalganj

Afjal Ansari, Son of Mustak @ Muskan Ansari, Resident of Village - Amhi
Bake, P.S.- Kateya, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan

For the Opposite Party/s : Mr.Sri S. Ehteshamuddin

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 02-05-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Kateya P.S. Case No. 221 of 2016 registered under Section
302/34 of the Indian Penal Code.

The accusation is that in the evening of 04.09.2016,
Bishal Thakur, son of the informant was returned to his house
after doing the work of labourer. Thereafter, his son went at the
grocery shop of Noor Mahamad Mian, where he received phone
call and went to somewhere but he did not return. The
informant searched his son but no trace was found.
On next day, informant received information that
a dead body is lying in west direction in the village.



Thereafter, informant along with her Nanad went there and found the dead body of Bishal Thakur. After sometime, police came and informant also visualized the injuries of his son, Bishal Thakur. Informant further claimed that her son generally used to sat in the company of Abdhesh Baitha, Mustak @ Muskan Mian, Firoj Ansari, Nasruddin Ansari and Afjal Ansari (petitioner).

Learned counsel for the petitioner submits that it would appear from the F.I.R. that informant is not the eye witness of the murder of her son and she has not raised suspicion about having hand of the petitioner in the murder of her son but in course of investigation, witnesses, in paragraph 9, 10, 11, 12 and 13, have disclosed that there was love affairs of the deceased with the daughter of co-accused, Mustak @ Muskan Mian and later on, Mustak @ Muskan Mian and Abdhesh Baitha were apprehended, who also admitted about love affairs of the deceased with daughter of Mustak @ Muskan Mian and also committing the murder of son of the informant but both have not disclosed the name of the petitioner. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the



event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M-XV, Gopalganj, in connection with Kateya P.S. Case No. 221 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

U		T	
---	--	---	--

