

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2254 of 2020

Arising Out of PS. Case No.-362 Year-2014 Thana- JOKIHAT District- Araria

Md. Kaishar @ Md.Kesar Son of Late Md. Abdul Kadir Resident of Village-
Bhebhra, P.S.-Jokihat, District-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr.Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 29-05-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in **Jokihat P.S. Case No.**
362 of 2014, registered for the offences punishable under
Sections 302, 201 and 34 of the Indian Penal Code.

As per prosecution, on 31.10.2014 at about 7.00 p.m.,
the husband of the informant, after taking meal, had gone
towards the Chowk, but he did not return. Next morning, the
informant got information that unknown criminals committed
murder of her husband by sharp cutting weapon and thrown his
dead body.



It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. Petitioner has committed no offence. FIR is against unknown. There is no eye-witness of the occurrence. The only material against this petitioner is his own confessional statement before the police, recorded in other case. Petitioner is in custody since 03.10.2019.

Considering the aforesaid facts and circumstances of this case, the petitioner above-named, is directed to 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 the learned **Chief Judicial Magistrate, Araria in connection with Jokihat P.S. Case No. 362 of 2014** subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty



to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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