

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20751 of 2020

Arising Out of PS. Case No.-366 Year-2019 Thana- SAHARSA District- Saharsa

MD. MONAJIR S/o Md. Israil Khan R/o Hakapara, Ward No. 14, P.S. and District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Verma

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-09-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the Office, within a period of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 302, 34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case in short is that the accused persons son of the informant was shot dead by the accused persons.

It has been submitted on behalf of the petitioner that the



petitioner is in custody since 20.04.2019 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The earlier bail application of the petitioner was rejected by a Coordinate Bench of this Court vide order dated 11.12.2019 passed in Cr. Misc. No. 56504/2019 with an observation that the petitioner, if so advised, may renew his prayer for bail after examination of the prosecution witness namely Parwez. In the light of the aforesaid observation, the present bail application has been filed. The said prosecution witness has already been examined in course of trial as P.W.- 1. The said witness has retracted from his earlier statement made under section 161 Cr.PC.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge -IV, Saharsa in connection with S.T. No. 154/19 arising out of Saharsa Sadar P.S. Case No. 366/2019.

(Sudhir Singh, J)

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