

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19730 of 2020

Arising Out of PS. Case No.-151 Year-2013 Thana- MUNGER MUFFASIL District- Munger

MD. PARVEJ ALAM @ MD. HERO @ HERO Son of Neyaz Resident of
Village - Bakarpur, P.S.- Muffasil, Distt - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Najmul Hodda

For the Opposite Party/s : Mr. Nityanand Tiwari, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-08-2020 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 lifting of the lockdown in the
State of Bihar.

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

The petitioner is apprehending his arrest in a case
registered under Sections 147, 148, 149, 342, 307, 302, 114, 504
of the Indian Penal Code and 27 of the Arms Act.

The prosecution case, in short, is that while the



informant along with his brother was ploughing in the field, the accused, variously armed, came and started firing where the informant and his brother started fleeing away and on the way, the accused persons fired at his brother due to which he died.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. After investigation, final form was submitted against the petitioner. The said final form was accepted by the Court below. The petitioner is an employee of Para Military Force. During the trial, the name of the petitioner has transpired and summons has been issued under Section 319 of the Cr.P.C.

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

Considering the facts and circumstances of the case and also the lockdown, the petitioner above named, in the event of arrest or surrender before the learned Court below within a period of eight weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Sessions Judge, Munger in connection with Sessions



Trial No. 775/2013 (arising out of Muffasil P.S. Case No. 151/2013), subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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