

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.20310 of 2020**

Arising Out of PS. Case No.-151 Year-2019 Thana- KHAGAUL District- Patna

Md. Wasim Ansari @ Md. Wasim @ Md. Akbar Ansari @ Akram Ansari, Son of Shamim Ansari, Resident of Village- Chakardaha More, P.S.- Khagaul, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Thaur, Advocate

For the Opposite Party/s : Mr.Ram Naresh Ray, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 10-09-2020 Heard learned counsel for the petitioner and Mr. Ram Naresh Ray, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Khagaul P.S. Case no. 151/2019 registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that as per the prosecution case the son of the informant was in friendship with Malika Parween co-accused as she was also working in a company at Surat alongside the company of the son of the informant and they had developed friendship. It is alleged that on 12.06.2019 the son of the informant and said Malika Parween had returned home from Surat. At this stage, it is stated



that the son of the informant had given some amount by way of loan to said Malika Parween and her brother Md. Wasim (this petitioner) and when he had gone to demand his money, they had a quarrel with his son which was reported to the informant by his son. It is then alleged that on 18.06.2019 Malika Parween called the son of the informant on the pretext of giving him the tickets and when his son left his house for the house of Malika Parween on the next date in the evening the informant got an information that his son has been murdered. He claimed that said Malika Parween and her brother (this petitioner) is involved in the murder of his son.

Learned counsel submits that in course of investigation no material at all has been found by the investigating officer to connect this petitioner in the murder of the son of the informant. It is submitted that no circumstantial evidence has surfaced in course of investigation and Malika Parween co-accused against whom there is allegation that she had called the son of the informant has been granted bail by a learned Co-ordinate Bench of this Court vide order dated 17.03.2020 in Cri. Misc. No. 80251 of 2019. It is submitted that the petitioner is in custody since 20.06.2019 and his case stands on a better footing than that of Malika Parween.



Learned APP for the state has opposed the prayer for regular bail of the petitioner but considering the facts and circumstances of the case, the materials coming in course of investigation not pointing out any particular evidence against the petitioner at this stage and the co-accused having been granted bail by a learned Co-ordinate Bench of this Court, let the petitioner above-named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Danapur, District – Patna in connection with Khagaul P.S. Case No. 151/2019, subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, or the commission of which he is suspected, and

(c) that such person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.



And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

