

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24069 of 2020**

Arising Out of PS. Case No.-44 Year-2020 Thana- NARPATGANJ District- Araria

Md. Matin @ Abdul Matin S/o Zahir Hussain Resident of Village- Pathraha
ward no.13, P.S.- Narpatganj (Ghurna), Distt- Araria ... Petitioner

Versus

The State Of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr.Mukesh Kumar Rana, Advocate

For the Opposite Party : Mr. Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 18-09-2020 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor representing the State.

The petitioner seeks bail in a case registered for the
offence punishable under sections 302/201 and other ancillary
sections of the Indian Penal Code.

On suspicion on 31.1.2020 FIR was lodged by the
informant after four days of missing of her mother against the
petitioner and other accused persons. On 2.2.2020 her dead
body was recovered lying near a road.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case on the basis of confessional statement of co-accused Md.
Firoz @ Khatru. Save and except the confessional statement,
nothing incriminating has come against the petitioner
implicating him with the occurrence. Petitioner has got no
criminal antecedent and he is in custody since 20.2.2020.
Charge sheet has also been filed in the case. There is no
allegation of tampering with the evidence. Further, Call Details
Report of petitioner's mobile phone, collected during
investigation, reveals that the petitioner was at Delhi at the time
of occurrence.

In the facts of the case, prayer for bail of the petitioner
is allowed. Let the petitioner mentioned above 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 Chief Judicial Magistrate, Araria in Narpatganj Police Station Case No. 44 of 2020 on the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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