

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24607 of 2020

Arising Out of PS. Case No.-274 Year-2018 Thana- JOKIHAT District- Araria

Md. Afzal @ Afzal Son of Late Anwar @ Anwar Resident of Village- Turkaili
Ward No. 11, P.S.- Jokihat, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-10-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

The petitioner apprehends his arrest in Jokihat
(Mahalgaon) P.S. Case No. 274/2018 (G.R. No. 2936/2018) for
the offence under Sections 302, 201/34 of the I.P.C.

As per the prosecution case, husband of the informant
had gone out of his house, but did not return and when the
informant tried to contact him on mobile phone, the same was
found “Switched Off” and thereafter, the informant was
informed that the dead-body of her husband is lying in a field. It
is further claimed by the informant that Md. Rabesh with his
associates have committed the murder of her husband, since
there was some money dispute between co-accused Md. Rabesh
and her husband.

It is submitted on behalf of petitioner that F.I.R. has
been lodged against co-accused Md. Rabesh and unknown.



Name of petitioner has transpired on the basis of confessional statement of co-accused Ramchandra Sahni, in which, only suspicion has been raised against petitioner. Save and except confessional statement of co-accused, there is no other material against petitioner to connect him with this case. It is further submitted that F.I.R. named co-accused Md. Rabesh has already been granted bail by this Court, vide order dated 17-10-2019 passed in Cr.Misc. No. 60664 of 2019. Petitioner has no criminal antecedent, as stated in paragraph – 3 of the petition.

Considering the aforesaid facts and circumstances, the bail application of petitioner is allowed. In the event of his arrest or surrender within a period of eight weeks from the date of receipt/production of copy of this order, let the above-named petitioner be enlarged 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 Chief Judicial Magistrate, Araria in connection with Jokihat (Mahalgaon) P.S. Case No. 274 of 2018 (G.R. No. 2936 of 2018), subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J.)

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