

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11804 of 2021**

Arising Out of PS. Case No.-173 Year-2020 Thana- JOGBANI District- Araria

MD. ANSARUL Son of Sikandar @ Mohammad Sikebdra Resident of
Village- Bijjalpur, Ward No. 11, P.S.- Bihra, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh

For the Opposite Party/s : Mr.Suresh Pd. Singh, APP

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

3 02-09-2021 This matter is taken up for consideration through
Video Conferencing.

Heard both parties.

The petitioner seeks bail in Jogbani P.S. Case No. 173
of 2020, registered for the offence punishable under Sections
363, 365, 302 and 201 of the Indian Penal Code.

As per the prosecution case, son of the informant went
along with this petitioner and co-accused Md. Izrile, but he did
not return. Informant became apprehensive and even after hectic
search her son was not found. After two days, dead body of her
son was recovered by the side of a pond.

It is submitted on behalf of the petitioner that
petitioner has falsely been implicated in this case only on
suspicion. At best it is a case of last seen. Similarly situated co-



accused Md. Izrile has been granted bail by this Court vide order dated 23.07.2021 passed in Cr. Misc. No. 15713 of 2021. Petitioner is having clean antecedent and he is in custody since 14.07.2020. Investigation is complete.

Considering the facts and circumstances of the case and the fact that similarly situated co-accused has been granted bail, the petitioner above-named, is directed to 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 the learned Chief Judicial Magistrate, Araria in connection with Jogbani P.S. Case No. 173 of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

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

(Prabhat Kumar Singh, J)

vinita/-

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