

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.13540 of 2021**

Arising Out of PS. Case No.-193 Year-2018 Thana- PUNPUN District- Patna

MUMTAJ ANSARI @ TENI MIAN S/O Md. - Mannu Mian @ Munna Mian
Resident of Village - Shahid Nagar P.S. - Dhanarua, District - Patna. Present
Address - Resident of Dumri, P.S. - Punpun, Dist. - Patna.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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

3 03-09-2021 Learned counsel for the petitioner undertakes to

remove all the defects pointed out by the Stamp Reporter within

four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Md.
Fahimuddin, learned APP for the State.

The petitioner in the present case is seeking regular

bail in connection with Punpun P.S. Case No. 193 of 2018

registered for the offences punishable under Sections 302, 120B,

34 of the Indian Penal Code.

As per the prosecution story, this petitioner was

earlier serving the family of the informant/deceased and is a co-

villager came to the house of the informant and asked his father

to accompany him to outside. It is alleged that the informant's

father went with this petitioner but did not return till night. In late night the informant got to know that the dead body of his father is thrown in the mango orchard upon which the informant and other family members went there and found that his father has sustained several injuries caused by sharp cutting weapons. It is alleged that this petitioner has acted in collusion with the co-accused and committed murder of the father of the informant.

Learned counsel submits that in course of investigation no cogent material has been collected against the petitioner. It is also submitted that co-accused Md. Safi Alam @ Safi Alam and Md. Mojib @ Mojbi Miyan have been granted bail by learned Co-ordinate Bench of this Court in the year 2018 and 2019 respectively itself. The petitioner is said to have been produced in this case when he was arrested in connection with some other case.

Learned APP for the State has opposed the prayer for regular bail of the petitioner. It is submitted that it is this petitioner who had taken the father of the informant from his house whereafter he did not return. The petitioner was close to the father of the informant and that is why the father of the informant believed him and went with him.

Learned APP further submits that the petitioner has also got criminal antecedents of two cases as stated in paragraph '3' and both cases are under Section 302/120B, 34 IPC and Section 27 of the Arms Act.

Considering the facts and circumstances of the case wherein there is a specific allegation against this petitioner that it is he who had come to the house of the informant and on his request the father of the informant had gone with him but thereafter his dead body was found, this Court is not inclined to release the petitioner on bail.

The prayer for regular bail of the petitioner is, thus, refused.

Let the trial be expedited.

(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'.