

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13982 of 2021

Arising Out of PS. Case No.-18 Year-2019 Thana- ALOULI District- Khagaria

Md. Khurshid aged about 28 years, Male, Son of Md. Salauddin @ Lal Babu
Resident of village - Belahi, Police Station - Bithan, District - Samastipur.
... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar

For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 01-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Allouli P.S. Case No. 18 of 2019, G.R. No. 194 of 2019, registered for the offence under Sections 365, 364, 120(B) of the Indian Penal Code.

As per the prosecution case, on 18.01.2019 at about 11:00 AM, co-accused Md. Shohrab called husband of the informant on mobile and he went to meet him and thereafter, he became traceless and his mobile was found 'Switch off'.

Petitioner is not named in the FIR. Name of the petitioner has transpired during course of investigation on the basis of confessional statement of co-accused Md. Rashid. Save & except confessional statement of co-accused, there is no other material against this petitioner to show his complicity in the aforesaid crime. Petitioner has got clean antecedent and he is in custody since 20.09.2020.



Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances and the fact that save & except confessional statement of co-accused, there is nothing against this petitioner, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Khagaria in connection with Allouli P.S. Case No.18 of 2019, G.R. No. 194 of 2019, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his 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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