

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6833 of 2020

Arising Out of PS. Case No.-296 Year-2019 Thana- PATEPUR District- Vaishali

SHAUKAT ALI @ MD. SAUKAT Son of Late Md. Younish @ Late Md. Yousif Resident of Village- Jahangirpur Salkhanni, P.S.- Mahua, District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 01-02-2021 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner apprehends his arrest in a case registered for the offence punishable under Sections 302, 201, 120(b) of the Indian Penal Code.

The wife of the deceased is the informant and on the alleged date and time of occurrence, altercation had taken place in between the informant and one Radha Devi, wife of Sukeshwar Ram, whereafter, the informant had narrated the said occurrence to her deceased husband, whereafter, the husband of the informant had gone to inquire about the said occurrence from the said Radha Devi, however, he did not return back and subsequently, his dead body was found lying in the field and the



informant suspected that FIR named accused have committed murder to her husband.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. It is further submitted that the husband of the aforesaid Radha Devi, namely, Sukeshwar Ram, and one similarly paced co-accused, Dharmendra Ram, have already been granted the privilege of bail by different coordinate Benches of this Court vide order dated 02.06.2020 passed in Criminal Miscellaneous No. 16153 of 2020 and vide order dated 18.01.2021 passed in Criminal Miscellaneous No.28809 of 2020 respectively. Petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Patepur P.S. Case No.296 of 2019 subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient



immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) 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.

(S. Kumar, J)

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