

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20902 of 2021

Arising Out of PS. Case No.-215 Year-2020 Thana- BAUNSI District- Banka

Md. Samin Ansari @ Samin Ansari, S/o Late Asgar Ali @ Late Asgar Ansari,
Resident of village - Bena Mohanpur, P.S.- Bounsi, District- Banka (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiw Kumar Prabhakarm, Advocate
For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

4 20-12-2021 The applicant/accused in Crime No. 215 of 2020 registered with Bounsi Police Station for the offences punishable under Sections 302 r/w Section 34 of the Indian Penal Code at the instance of first informant Ijrail Ansari, by this application is seeking his release on bail during pendency of the trial. The charge sheet is filed under Section 306 r/w Section 34 of the Indian Penal Code.

Heard the learned counsel appearing for the applicant/accused. He argued that co-accused Sufyan Ansari @ Sufian Ansari who has main role in commission of the crime is directed to be released on bail by a coordinate Bench of this Court vide order dated 25.10.2021 passed in Criminal Misc. No. 16770 of 2021. He further submits that there are no allegations against the applicant/accused and therefore, he



deserves to be released on bail.

The learned Additional Prosecutor opposed the application.

I have considered the submissions so advanced and also perused the materials placed before me.

Nusrat Khatoon is the deceased. FIR is lodged by her father Ijrail Ansari. It is averred in the FIR that Sufyan Ansari who happens to be son of the present applicant was trying to molest the daughter of the first informant but when neighbours come, he ran away. It is further averred that during the proceeding of the Panchayat, parental relatives of Sufyan Ansari stated that they are not willing to accept the verdict of the Panchayat and therefore, women from the village assaulted Nushrat Khatton and killed her.

It seems that during investigation it transpires that Nushrat Khatoon had committed suicide. Considering the fact that the applicant is father of Sufyan Ansari who is already released on bail by a coordinate Bench of this Court, on the principle of parity, the applicant/accused is also entitled for bail and hence, the order :-

- i. The application is allowed.
- ii. The applicant/accused in Crime No. 215 of



2020 registered with Bounsi Police Station for the offences punishable under Sections 302 r/w Section 34 of the Indian Penal Code be released on bail on executing P.R. bond of Rs.15,000/- (Rupees Fifteen Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this



order only after removal of office objections by the
applicant/accused.

(A. M. Badar, J)

Bhardwaj/-

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