

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20886 of 2021

Arising Out of PS. Case No.-199 Year-2019 Thana- JHANJHARPUR District- Madhubani

MUSTAKIM @ ISRAFIL S/o Md. Mazid R/o Village- Jhanjharpur, P.S.-
Jhanjharpur, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Kumari Shubham, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 13-12-2021 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Jhanjharpur P.S. Case No. 199 of 2019 for the offence registered
under Sections 302, 201, 34 and 120B of the Indian Penal Code
and Sections 3, 4, 5 and 6 of Explosive Substance Act, 1905.

The petitioner is not an FIR named accused person.
The allegation is regarding involvement of the accused persons
including the petitioner herein in the murder of the deceased father
of the informant.

The learned counsel for the petitioner has submitted that
the petitioner is innocent and he has been falsely implicated in the
present case. The learned counsel for the petitioner has further
submitted that though the petitioner is an accused in some other
criminal cases but he is on bail in the said cases and he is
languishing in custody since 17.03.2020. It is next submitted that
the actual fact is that the father of the informant was
manufacturing bomb and the same exploded in his hand resulting
in the death of the deceased.



Per contra, Shri Parmanand Kumar, learned APP appearing for the State has vehemently opposed the prayer for bail and has submitted by referring to the case diary that the father of the informant was manufacturing bomb and thereafter he had died on account of explosion of the said bomb.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also those present in the case diary which shows minuscule evidence qua the petitioner herein in the alleged occurrence, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to 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 Additional Chief Judicial Magistrate-II, Jhanjharpur, District-Madhubani in connection with Jhanjharpur P.S. Case No. 199 of 2019.

(Mohit Kumar Shah, J)

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