

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40095 of 2020

Arising Out of PS. Case No.-44 Year-2020 Thana- NARPATGANJ District- Araria

MD. FIROZ @ KHATRU @ MD. FIROJ SON OF LATE JALAUDDIN
RESIDENT OF VILLAGE - PATHRAHA, WARD NO. 13, POLICE
STATION - NARPATGANJ (GHURNA), DISTRICT - ARARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mukesh Kumar Rana, Advocate
For the informant	:	Mr. Anamul Haque, Advocate
For the Opposite Party/s	:	Mr. Sunil Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 24-03-2021 Heard Mr. Mukesh Kumar Rana, learned counsel for the petitioner, Mr. Anamul Haque, learned counsel for the informant and Mr. Sunil Kumar Pandey, learned Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with Narpatganj P.S. Case No. 44 of 2020 registered for the offence punishable under Section 363/34 of the Indian Penal Code 1860. Subsequently, Sections 302 and 201 of the Indian Penal Code were added.

The allegation as per the First Information Report is that the mother of the informant was missing for about four days and subsequently her dead body was recovered lying near the road. The petitioner and other co-accused persons have been



named in the First Information Report on suspicion.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has been implicated in this case on the basis of his confessional statement and from perusal of the same, it would be evident that the petitioner has not played any role in the commission of the crime. Learned counsel further submits that the petitioner is in custody since 1.2.2020. Learned counsel referring to Annexure-2 submits that the main accused Md. Matin @ Abdul Matin has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 24069 of 2020.

On the other hand, learned counsel for the informant and State vehemently opposed the prayer for bail and submit that there was love affair between the informant and the main accused of this case Md. Matin @ Abdul Matin and the accused persons including the petitioner in connivance with the conspiracy, killed the mother of the informant.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that co-accused has been granted bail by a co-ordinate Bench of this Court and the petitioner is in custody since 1.2.2020, I am inclined to grant regular bail to the petitioner.



Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, in connection with Narpatganj P.S. Case No. 44 of 2020.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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