

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37524 of 2020

Arising Out of PS. Case No.-125 Year-2019 Thana- NAUTAN District- West Champaran

FAIYAZ AHMAD @ MD FAIYAZ AHMAD Son of Late Reyaz Ahmad
Resident of Village- Khodda Mushahi, P.S.- Nautan, Distt- West Champaran
... .. Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : M/s Rama Kant Sharma, Sr. Advocate
Sanjeev Kumar Shrivastava, Advocate

For the Opposite Party/s : Mr. Ram Chandra Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 15-03-2021 Heard learned senior counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Nautan P.S. Case no. 125 of 2019 registered under sections 302, 307, 147, 148, 149, 341, 109 and 323 of the Indian Penal Code.

As per allegation in the first information report, it is stated that the petitioner along with one Mustufa Ansari are stated to have assaulted Md. Aslam with an iron rod leading to his death.

It is submitted by learned senior counsel appearing for the petitioner that a supplementary affidavit has been filed on behalf of the petitioner mentioning about the error committed in paragraph no. 3 of the bail petition wherein the antecedents of the petitioner has been given. The details have been mentioned in the supplementary affidavit. It is further submitted that the



case alleged in the first information report are not fully supported with the postmortem report and the case of the petitioner stands on a similar footing to that of co-accused Md. Mustufa Ansari, who has been enlarged on regular bail vide order dated 18.12.2019 (Annexure 5) passed in Cr. Misc. No. 59164 of 2019. The petitioner is in custody since 11.7.2020 i.e. for more than eight months.

The application for bail is opposed by learned Additional Public Prosecutor for the State who submits that the petitioner is one the assailants.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner together with grant of bail to the above mentioned co-accused, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Nautan P.S. Case no. 125 of 2019 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran at Bettiah.

(Partha Sarthy, J)

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