

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38391 of 2020

Arising Out of PS. Case No.-172 Year-2019 Thana- BUXAR INDUSTRIAL District- Buxar

Md. Babar Khan Son of Md. Harun Khan Resident of Village- Barki Sarimpur, P.S.- Buxar (Industrial area), Distt- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Najmul Hodda, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 22-03-2021 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the offence punishable under Section 302/34 of the Indian Penal Code.

According to prosecution case, since wife of the deceased was suspected to be in extra-marital relation with Ibrar Khan, co-accused Ibrar along with his associates including the petitioner are suspected to have committed the murder of the husband.

Submission is that there is no direct evidence against the petitioner. The petitioner is in custody since 25.11.2019. Name of the petitioner has surfaced in the confessional statement of co-accused which has no evidentiary value.



Considering substance in the submission aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Buxar (Industrial Area) P.S. Case No.172 of 2019, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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