

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39249 of 2020

Arising Out of PS. Case No.-167 Year-2018 Thana- ALAMNAGAR District- Madhepura

Parful Patel@ Praful Patel, Son of Kailash Patel, Resident of Village-
Gangapur Lutna Tola, P.S.- Alamnager (Ratwara O.P.), District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar, Advocate

For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 01-03-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with
Alamnagar (Ratwara O.P.) P.S. Case No.167 of 2018 for the
offence punishable under Section 302/34 of the Indian Penal
Code and Section 27 of the Arms Act.

The allegation is that while the informant's husband
had gone to attend the call of nature, the petitioner along with
other named accused persons shot him dead.

Counsel for the petitioner submits that the informant
is not an eye-witness to the occurrence. Merely on suspicion, he
is in custody since 20.05.2020. The petitioner has been made
accused in altogether six cases, out of which in four cases, he is
on bail and two are still pending against him. It is further



submitted that similarly situated co-accused Chhabil Patel has already been allowed bail in Cr.Misc. No.6749 of 2019, vide order dated 06.02.2019.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, 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 the learned A.C.J.M., Uda Kishunganj, District-Madhepura, in connection with Alamnagar (Ratwara O.P.) P.S. Case No.167 of 2018, subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings



regarding supply of the requisite court fee etc. within two weeks
from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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