

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4412 of 2021

Arising Out of PS. Case No.-183 Year-2020 Thana- ARA MUFFSIL District- Bhojpur

PINTU @ PITOO @ AMZAD ALI SON OF BARKET MIYAN @ BARKAT
ALI ANSARI RESIDENT OF VILLAGE- LASAKARA, P.S.-SHAHPUR,
DISTRICT-BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Pandey

For the Opposite Party/s : Mr.A.P.P

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 18.06.2020 in connection with Ara (M) P.S. Case No. 183/2020 registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, on 15.06.2020, father of the informant went on bullet motorcycle to the clinic of the petitioner with rupees one lakh for purchasing a piece of land. When he did not return, the informant went to the clinic of the petitioner, but did not find his father. Later on, on 16.06.2020, in the morning, he learnt that dead-body of his father is lying near Kaushik Dularpur. The informant suspects that this petitioner with the help of others committed murder of his father for



grabbing the money and threw away the dead-body.

It is submitted on behalf of the petitioner that the petitioner has been made accused only on the basis of suspicion and no incriminating material has come during the course of investigation to show the complicity of the petitioner in the present case. It is further submitted that, in fact, the deceased was an agent of sale and purchase of land in Ara town and due to some land dispute, he might have been killed by some other person. It is next submitted that petitioner runs Jeevandeep clinic in Pakri, Ara and has got no concern with the incident. Chargesheet has already been submitted in this case. Petitioner has got no criminal antecedent and he is in custody since 18.06.2020.

Considering the nature of allegation and taking into consideration that investigation is complete, coupled with the fact that petitioner bears clean antecedent, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Additional Chief Judicial Magistrate, VII, Bhojpur at Ara, in connection with Ara (M) P.S. Case No. 183/2020, subject to following conditions:-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.

(2) If the petitioner tempers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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