

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3004 of 2021**

Arising Out of PS. Case No.-521 Year-2018 Thana- KAHALGAON District- Bhagalpur

Jalal Khan, Son Of Zabbar Khan, Resident Of Village Chhoti Karikado,
P.S.Shivnarayanpur, District Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya- Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam- A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 15-03-2021 Heard learned counsel appearing for the petitioner as well as learned Additional Public Prosecutor appearing for the State.

The petitioner seeks regular bail in connection with Kahalgaon (Shivnarayanpur) P. S. Case No.521 of 2018 of registered for the offences punishable under Sections 302, 120-B of the I.P.C. and Section 27 of the Arms Act.

As per the prosecution case, on 15.08.2018 at about 6.00 A.M., informant came to know that father of the informant were lying dead in his cot and has been murdered by gunshot injury in the mouth and suspicion has been raised that this petitioner due to land dispute by hatching conspiracy committed the murder of his father. It is submitted that petitioner has been falsely implicated in this case and from F.I.R. itself, it is clear



that informant is not eye witness of the case and his case is based on suspicion. It is submitted that similarly situated other co-accused, namely, Aurangzeb Khan @ Md. Aurangzed Khan has already been granted bail by a Bench of this Court vide order dated 05.02.2021 passed in Cr. Misc. No.38253 of 2020. Petitioner is in custody since 02.06.2020. Charge-sheet against petitioner has already been submitted.

Considering the nature of allegation coupled with the fact that the petitioner bears no criminal antecedent, prayer for bail of the petitioner is allowed, let the petitioner, above named, be released on 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, Bhagalpur in connection with Kahalgaon (Shivnarayanpur) P. S. Case No.521 of 2018.

(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 and on his/ her absence on two consecutive dates without sufficient reason, his/ her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers 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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