

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5655 of 2021

Arising Out of PS. Case No.-125 Year-2020 Thana- KATRA District- Muzaffarpur

MD. JABBAR, aged about 70 years, (Male), SON OF LATE MD. SATTAR
SHAH R/O VILL.- DARGAH, P.S.- KATRA, DIST.- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 12-04-2021 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 302, 34 of the Indian Penal Code.

Informant has alleged that on 3.6.2020 at 6:30 am, FIR named accused including the petitioner, armed with weapons, came at his house and with intent to kill his wife, they started assaulting her, as a result of which, she became unconscious. Thereafter, all the accused persons fled away from there. Wife of the informant was rushed to SKMCH, Muzaffarpur where the doctor declared her brought dead.



It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case due to enmity. It is further submitted that wife of informant died due to illness and no ante-mortem injury has been found by the doctors. There is no specific allegation of assault against the petitioner. Petitioner, who is 70 years old, has no criminal antecedent and he is in custody since 05.06.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Katra P.S. Case No. 125/20 with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for cancellation of
bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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