

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12260 of 2021

Arising Out of PS. Case No.-28 Year-2020 Thana- JHAJHA District- Jamui

MD MUKATAR ANSARI, Son of Khairul Ansari Resident of Village -
Paharpur, P.S.- Jhajha, Dist.- Jamui.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda

For the Opposite Party/s : Mr. Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 24-02-2022 Heard Mr. Abdul Mannan Khan, learned Advocate
for the petitioner and learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Jhajha P. S. Case No. 28 of 2020, instituted for the offences under Sections 302, 201 and 34 of the Indian Penal Code.

The petitioner and three others are said to have taken the deceased to a place for plucking fruits but the deceased never returned. Later, his dead-body was found in a jungle. The deceased was found to have been crushed by stone.

The accusation against the petitioner is solely



based on suspicion.

Mr. Khan, learned Advocate for the petitioner has submitted that though he has been named in the F.I.R. but there is no direct or indirect evidence against him except for suspicion. The reason for suspecting the hands of the petitioner in this case is that there had been a murder in the family of the petitioner in which the informant and his son were charged but they were acquitted. It appears that in retaliation, the son of the informant has been killed at the hands of the petitioner and others.

During the course of investigation, it has come to light that the deceased did not have a balanced mind and precisely for that reason, his marital life also was disturbed.

However, during the entire investigation, no definite evidence could be collected with respect to the participation of the petitioner in the occurrence. It is also not certain whether the deceased was crushed to death. The possibility of his getting injured in the jungle by falling on stone also cannot be ruled out.

One of the other accused persons of this case with



similar accusation has been granted anticipatory bail by a Bench of this Court.

Taking into account the afore-stated facts, the case-diary was called for and the petitioner was granted provisional bail.

Perused the diary.

There is no direct material against the petitioner and the accusation is only on the basis of suspicion.

Considering the afore-noted facts, the provisional bail granted to the petitioner is, hereby, confirmed. The petitioner shall remain on the same bail-bonds.

The application stands allowed.

(Ashutosh Kumar, J)

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