

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4843 of 2022

Arising Out of PS. Case No.-379 Year-2021 Thana- JOKIHAT District- Araria

SADIQUE SON OF LATE MOBINUL MASURA RESIDENT OF WARD
NO. 10, GRAM PANCHAYAT CHAINPUR, MASURIYA, MASURIYA,
DISTRICT- ARARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sugandha Prasad, Advocate

For the Opposite Party/s : Mr.Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 13-07-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove
the defects within four weeks of resumption of normal court
proceedings. In the eventuality of non-removal of defects within
stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 302/201/120(B)/34 of the IPC.

Allegedly, the F.I.R. named accused persons including the
petitioner have killed the son of the informant by strangulation.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case. No such occurrence, in



the manner as alleged, has ever taken place. Petitioner is not named in the FIR but his name transpired in this case on the confessional statement of the co-accused. At para-55 and 56 of the case diary, it is mentioned that he is a member of panchayat but he was not present in the mid night of 31.07.2021 nor participated in alleged panchayati held. There is no specific overt act against the petitioner rather the allegations are general and omnibus. Petitioner has three criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is no specific allegation against the petitioner, let him, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Jokihat (Mahalgao) P.S. Case No.379/2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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