

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8967 of 2022

Arising Out of PS. Case No.-231 Year-2021 Thana- BHAGWANPUR District- Vaishali

Hasibur Rahman Son Of Late Md. Abdul Rahman Resident Of Village-
Mohammadpur Rahua P.S. Bhagwanpur District- Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Sachchidanand Choudhary, Advocate.
For the State	:	Mr. Uma Shankar Prasad Singh, APP.
For the informant	:	Mr. Munish Kumar. Advocate.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 21-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Bhagwanpur P.S. Case No. 231 of 2021 lodged under Sections
302/201/34 of the Indian Penal Code.

The allegation made in the F.I.R. is that the petitioner
along with others took Rajiv Paswan away from his house and
they killed him, and thereafter throw his dead body in a pond.
The police has recovered lathi, danda, iron rod and sharp
weapon from their boat.

Learned counsel for the petitioner submits that the
petitioner is old aged person and there is a land dispute going on
with his brother Md. Mohiuddin due to which three criminal



cases were filed by his brother against him except, those 3 cases filed by his brother, there is no other case by anybody else. He further submits that due to land dispute, politics is going on in the village. The petitioner further submits that there is long standing enmity exist, between the deceased family and the petitioner, due to which the petitioner has lodged Bhagwanpur P.S. Case No.123 of 2014 under Section 366A of the Indian Penal Code with regard to kidnapping of his daughter against one Chhotu Paswan, who is the cousin brother of the deceased. Only due to this reason, the petitioner and his son have been falsely implicated him in this case. He also submits that petitioner is old aged person and is in custody since 07.10.2021 on the basis of suspicion only. The charge sheet has already been filed in this case and he is ready to support the investigation and trial in all manner.

Learned counsel for the petitioner further submits that one co-accused Md. Azam was granted bail by this Court vide order dated 29.06.2022 passed in Cr. Misc. No. 12115 of 2022.

Learned counsel for the State opposes the prayer for bail.

Considering the facts and circumstances and submissions made of this case, let the petitioner above named,



be granted bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate Vaishali (Hajipur) in connection with Bhagwanpur P.S. Case No. 231 of 2021, subject to the conditions as laid down under Section 437(3) of the Cr.P.C.

The petitioner is directed to appear on each and every date before the Trial Court, in case of non-appearance for two consecutive dates, shall resulted into cancellation of his bail bond. If he shall involve in such type of activities again, the prosecution shall be at liberty to move for cancellation of his bail bond.

Accordingly, the bail application stands allowed.

(Dr. Anshuman, J.)

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