

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19778 of 2021

Arising Out of PS. Case No.-3 Year-2020 Thana- DAGARUA District- Purnia

MD. NASEERUDDIN Son of Md. Saiyaad R/o Village- Haripur Amna, P.S.-
Dagaruwa, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan, Adv.

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 03-01-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Dagaruwa P.S. Case No. 03 of 2020 registered for the offence
under Sections 341, 324, 302, 506/34 of the Indian Penal
Code.

The brother of the informant is said to have been
killed inflicting sharp cutting injuries by the accused
persons.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. The
petitioner, who is informant in this case, has been made



accused in this case at the instance of his brothers-in-law who have disclosed that the petitioner himself confessed before them that he has committed murder of his brother and mere on that ground, the petitioner has been apprehended in this case. No specific overt act is attributed to him. Not a single independent witness has supported the prosecution version. Although the petitioner is said to have confessed his guilt before the police, but the same has no evidenciary value in the eye of law. The petitioner is rotting in judicial custody since 10.01.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M.-1st Class, Purnia in connection with Dagaruwa P.S. Case No. 03 of 2020 with the following conditions:-

(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 canceled 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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