

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11099 of 2022

Arising Out of PS. Case No.-107 Year-2021 Thana- BHAIKAVSHTHAN District-
Madhubani

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1. MD UJAIR Son of Md. Mannan, Resident of Village- Bhagwatipur Mantola, P.S.- Pandaul, District- Madhubani.
 2. Md. Barkat @ Hira Son of Farukh Resident of Village- Bhagwatipur Mantola, P.S.- Pandaul, District- Madhubani,

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Baleshwar Kamat, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 29-06-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek regular bail in connection with
Bhairavsthan P.S. Case No. 107 of 2021 lodged under Sections
302 and 201/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that
petitioners are not named in the F.I.R. He further submits that
there is a dispute going on between the deceased and her in-laws
family. There is no one who supports the case. He further
submits that there are in total eight named persons in the F.I.R..
Petitioners' name were not figured in this case. Nothing has
been recovered either from the house or from the possession of

the petitioners. The name of the petitioners has figured in this case only on the basis of confessional statement. He further submits that petitioners are in custody since 17.09.2021 having clean antecedent.

Learned A.P.P. opposes the prayer for bail.

In the present facts and circumstances that petitioners are in custody since 17.09.2021 having clean antecedent, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-Ist., Jhanjharpur, Madhubani in connection with Bhairavsthan P.S. Case No. 107 of 2021, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) At the time of furnishing bail bond, the petitioner shall file an affidavit to the effect that he shall not indulge himself in future in the similar type of offence. If it is found so, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Accordingly, the bail application stands disposed of.

(Dr. Anshuman, J.)

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