

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11439 of 2022

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

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Ekvamul @ Chhotu Son Of Md. Allaiddin @ Tufani R/O Village-
Bhagwatipur, Mantola, P.S.- Pandaul, District- Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s :	Mr. Gagan Deo Yadav, Advocate
	Mr. Ravi Prakash, Advocate
	Mr. Vinod Kumar, Advocate
For the Opposite Party/s :	Mr. Bhanu Pratap Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks 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 petitioner submits that
petitioner is not named in the F.I.R.. His name has figured in
this case by virtue of the confessional statement of co-accused
namely, Md. Sonu, with whom there is alleged to be illicit
relation with the wife of the deceased, due to which the entire
occurrence has alleged to be taken place. Learned counsel for
the petitioner further submits that petitioner is in custody since
17.09.2021, charge sheet has already been filed in this case and

petitioner has clean antecedent.

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

In the present facts and circumstances of the case that name of the petitioner has not figured in this case, instead of the fact that there are eight named accused persons against whom allegations were made and name of the petitioner has figured in the confessional statement. Charge sheet has already been submitted in this case and petitioner is in custody since 17.09.2021 having clean antecedent, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-I, 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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