

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12115 of 2022

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

MD. AZAM Son of Hasibur Rahman Resident of Village - Mohammadpur
Rahua, P.s.- Bhagwanpur, Distt.- Vaishali (Hajipur).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachchidanand Choudhary
For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-06-2022 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 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
present FIR has been lodged on the basis of the written
statement of one Soni Devi wife of the deceased. It is further
submits that his named in the present FIR only and only due to
the reason that there is long standing enmity between the
deceased family and the petitioner. He further submits that
father of the petitioner has lodged a case namely, Bhagwanpur
P.S. Case No. 123 of 2014 under Section 366 A of the Indian
Penal Code with regard to kidnapping of his sister against the



cousin brother of the deceased. Learned counsel for the petitioner further submits that dead body of the deceased was subsequently found from a ditch which is situated near the field of the petitioner. The counsel for the petitioner further submits that said field was utilized for the *fishries* purposes and he has given the said field to other persons i.e. Sahni family. He further submits that petitioner has clean antecedent and he is in custody since 07.10.2021 and charge sheet has already been filed in this case.

Learned APP for the State opposes the prayer for bail.

In the present facts and circumstances that petitioner is in custody since 07.10.2021 and charge sheet has already been filed and having no criminal antecedent and also seeing long standing previous enmity between the family of informant and the petitioner, let the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten 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 before the Trial



Court on each and every date failure of the appearing on two consecutive dates shall be resulted for cancellation of bail bond.

(Dr. Anshuman, J)

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