

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17344 of 2022

Arising Out of PS. Case No.-160 Year-2019 Thana- RAMNAGAR District- West Champaran

PINTU @ TAUKIR @ TAUQEER KHAN Son of Aurangzeb Khan Resident
of Village - Chhawgharia, P.s.- Ramnagar and Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-08-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 302, 120B, 34 of the Indian Penal Code and Section 27 of the Arms Act.

According to FIR, nine FIR named accused persons along with three to four unknown under a conspiracy made indiscriminate firing on the husband of the informant causing his death. Land dispute is reason behind the occurrence of commission of murder.

Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely



implicated in the present case only on the basis of suspicion. He further submits that in fact the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired on the basis of confessional statement of co-accused namely Faiaz @ Faiaz Sah. He further submits that except the confessional statement of co-accused nothing has come during investigation against the petitioner and similarly situated co-accused persons namely Faiaz @ Faiaz Sah has been granted bail by a Coordinate Bench of this Court vide order dated 18.03.2020 in Cr. Misc. No. 81110 of 2019, another co-accused namely Aurangjeb Khan has been granted bail vide order dated 05.03.2020 in Cr. Misc. No. 64251 of 2019, another co-accused namely Chhote Khan @ Minhaz Khan @ Minhaj Ali has been granted bail by this Court vide order dated 05.03.2020 in Cr. Misc. No. 72844 of 2019 and another co-accused namely Guddu Giri has been granted bail by a Coordinate Bench of this Court vide order dated 05.01.2021 in Cr. Misc. No. 25436 of 2020 respectively. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 11.01.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Ramnagar P.S. Case No. 160 of 2019, 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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