

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23119 of 2022

Arising Out of PS. Case No.-321 Year-2021 Thana- RANIGANJ District- Araria

Md Kausar S/o Late Ramjan Resident of Village- Shikshak Colony Raniganj
Ward No.15, P.S.- Raniganj, District- Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Mukesh Kumar Rana, Advocate.
For the Opposite Party/s :	Mr. Madhura Nand Jha, APP.
For the Opposite Party/s :	Mr. Ajay Kr. APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-07-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Raniganj P.S. Case No. 321 of 2021 lodged under Sections 302,
201, 120(B) of the Indian Penal Code.

The prosecution case has been filed by one Md. Nijam
at Sadar Hospital Araria that informant's younger brother got
married with co-accused Sakila Khatoon and after few years
co-accused Sakila Khatoon started giving pressure to the brother
of the informant and thus in compulsion brother of the
informant started living separately, the informant also alleged



that co-accused Sakila Khatoon has illicit relation with petitioner, therefore, in connivance of both and others named in F.I.R. present incident of murder took place.

Learned counsel for the petitioner submits that informant has described 5 named accused persons on suspicion but he has not disclosed the petitioner's name. He further submits that the name of the petitioner has figured in this case by virtue of confessional statement of one of the accused, whose name was described on suspicion, in F.I.R.

Learned counsel for the petitioner further submits that his antecedent is clean, continuing in jail since 01.11.2021 and he is ready to support the trial at any stage of this case.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Araria in connection with Raniganj P.S. Case No. 321 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:



A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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