

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23862 of 2022

Arising Out of PS. Case No.-19 Year-2020 Thana- BALIYA District- Begusarai

Md. Prawez @ Md. Parwez Khan Son of Md. Sultan, Resident of Village -
Naya Tola Kasba, P.S.- Ballia, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv.

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 03-11-2022 Let the defect(s), 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
Sessions Trial No.618 of 2022 arising out of Ballia P.S. Case
No. 19 of 2020, lodged under Section 302 of the Indian Penal
Code read with Section 27 of Arms Act.

As per prosecution case, the informant has stated that
his brother was in illicit relationship with one Khurshida
Khatoon, due to this reason the dispute took place between his
brother and Md. Parwez. It has been alleged that Md. Parwez,
the petitioner has called his brother and fired upon him, due to
which he died.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that in the entire investigation, it transpires that there is no eye witness in the case diary. He further submits that it is true that petitioner and one Mohd. Saddam was alleged to be found fleeing away from the place of occurrence. He submits that charge has already been framed and petitioner is facing trial. He also submits that the said co-accused Mohd. Saddam has already been granted bail by the Co-ordinate Bench of this Court vide order dated 29.01.2021 passed in Cr. Misc. No. 36320 of 2020. Learned counsel for the petitioner further submits that antecedent of petitioner is clean and he is in custody since 22.01.2020.

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.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge – X, Begusarai in connection with Sessions Trial No.618 of 2022 arising out of Ballia P.S. Case No. 19 of 2020, subject to the

conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands
allowed.

(Dr. Anshuman, J.)

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