

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23816 of 2022

Arising Out of PS. Case No.-39 Year-2020 Thana- MANIHARI District- Katihar

MD. WAJIR S/o Late Afsar Ali, R/o village- Pagalwari, P.S.- Manihari,
District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 03-11-2022 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
Manihari P.S. Case No. 39 of 2020 lodged under Sections
365/34 of the I.P.C. but later on sections 364, 302, 201 and
120B of the I.P.C. were added.

As per prosecution case, the F.I.R. has been filed
against 6 named accused persons that they arrived at the house
of the informant and taken away his son with them, but the son
of the informant was not return home, thereafter the present case
has been filed against 6 known accused persons.

Learned counsel for the petitioner submits that

petitioner is innocent and has committed no offence. He further submits that from the content of the F.I.R., it transpires that the informant has went outside the house by his own motorcycle. Learned counsel further submits that petitioner is in custody since 28.02.2022 having one criminal case pending against him in which he is on bail.

Learned counsel for the State opposes the prayer for bail and submits that allegation against the petitioner alongwith others to visit to the house of informant and on their instance the son of the informant went out side and did not return. Counsel further submits that in the investigation the police found that the son of informant and one co-accused Md. Sheru are criminals and there are criminal cases pending against them, it may be a probability that due to internal dispute the present occurrence took place.

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 Chief Judicial Magistrate, Katihar in connection with Manihari P.S. Case No. 39 of 2020, 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 be resulted into cancellation of his bail bond.

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

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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