

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28846 of 2022

Arising Out of PS. Case No.-9 Year-2022 Thana- BHAPTIAHI District- Supaul

MD TAUFIQUE S/o Md. Mushtaq Resident of Village- Nauranga, P.S.-
Azamnagar, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Shilpi Keshri

For the Opposite Party/s : Ms.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 01-09-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in Bhaptiyahi P.S. Case
no. 09/2022 initially registered for the offences punishable
under sections 365, 201 of the Indian Penal Code, later on
section 302/34 IPC was subsequently added.

As per allegation, informant's son aged about 35
years went along with this petitioner to Koshi Barrage in Nepal
and thereafter did not return back and when the informant
contacted this petitioner and tried to take information about his
son, petitioner misbehaved with the informant as such informant
suspected that his son was abducted by this petitioner and
during investigation dead body of the deceased was found.



The main submissions advanced by Ms Shilpi Keshsri, the learned counsel for the petitioner are that FIR of this case was lodged after inordinate delay regarding which no explanation has been given, as per FIR the present case is of last seen and circumstantial evidence but except suspicion raised by the informant, there is no other material to connect the petitioner with the alleged crime. Further submission is that petitioner has got clean antecedent and has been languishing in jail since 20.1.2022.

Ms. Gulnar Begum, learned APP appearing for the State has opposed the prayer for bail.

Heard both sides and perused the FIR. The present case relates to abduction and murder and the victim was lastly seen in the company of this petitioner and I find no material to show any reason on the part of informant for false implication of the petitioner in the alleged occurrence.

Considering the nature of allegation appearing against the petitioner, in my view, petitioner does not deserve privilege of bail and accordingly his prayer for bail stands rejected.

(Shailendra Singh, J)

s.hassan/-

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