

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30437 of 2022

Arising Out of PS. Case No.-248 Year-2019 Thana- KOCHADHAMAN District- Kishanganj

Nesharul Haque Son Of Late Hazrat Ali R/O- Vill- Khikhir Tola Puar P.S.-
Chakulia, District- Uttar Dinajpur (W.B.)

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan

For the Opposite Party/s : Mr. Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-09-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 302, 201 and 34 of the Indian Penal Code.

One unknown dead body of woman tied with the saree was found in the paddy field.

Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. He submits that petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during course of investigation. He submits that husband of the deceased has killed his wife and there is no role of the petitioner in the alleged occurrence and only on the basis of suspicion he has been made accused. He submits that husband of the deceased is already in judicial custody. He submits that similarly situated co-accused has already been granted bail by a Bench of this Court vide order dated 02.08.2022 passed in Cr. Misc. No. 9174 of 2022. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kochadhaman P.S. Case No. 248 of 2019,



subject to the condition as laid down under Section 438 (2) of
the Cr.P.C.

(Anjani Kumar Sharan, J)

Ajay, devendra/-

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