

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40412 of 2021

Arising Out of PS. Case No.-44 Year-2021 Thana- MADHUBANI TOWN District-
Madhubani

MD TAIYAB MD. SULATAN ANSARI R/o village- Bariyarpur, Ward No.-
2, P.S.- Piya, District- Muzaffarpur (Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kr Singh No.1
For the Opposite Party/s : Ms. Renu Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 12-04-2022 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Town Police Station Case No. 44 of 2021, registered for the
offence punishable under Sections 365/392/201/34 of the Indian
Penal Code.

The allegation, in nut shell, is that the son-in-law of
the informant alighted from a train at Madhubani Railway
Station and took a tempo. He talked to the daughter of the
informant and just after five minutes, the mobile of the son-in-
law of the informant did not respond and after few days, the
dead body of the son-in-law of the informant, namely, Suresh
Rai, was found near a pond.



Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case merely on the basis of the statement of co-accused Md. Akbar, recorded in paragraph 68 of the case diary that looted mobile phone of the deceased was sold to the petitioner. He further submits that the petitioner is a bonafide purchase of the mobile phone from co-accused Md. Akbar and he was not aware about the same being a looted mobile phone. He further submits that the petitioner is in custody since 26.02.2021, having no criminal antecedent and charge sheet has been submitted against him and as such there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Having heard learned Counsel for the parties and taking into consideration the statement of co-accused Md. Akbar, recorded in paragraph 68 of the case diary and the fact that charge sheet has been submitted against him and he is in custody since 26.02.2021, having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand)



with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani, in connection with Town Police Station Case No. 44 of 2021.

This is subject to the condition that the petitioner shall present himself before the Court, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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