

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34099 of 2022

Arising Out of PS. Case No.-327 Year-2020 Thana- BELDOUR District- Khagaria

MD. SHAMSAD S/o Md. Habib R/o village- Chodhali, P.S.- Gogri, District-
Khagaria (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : Mr.Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-09-2022 No one appears on call.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The case is registered under Section 302/120(B)/34 of
the Indian Penal Code in connection with Sessions Trial No.119
of 2022 arising out of Supplementary Beldar P.S. Case No.327
of 2020, G.R. No.3516 of 2020.

As per the prosecution story, on 25.11.2020, it is
alleged that co-accused Md. Irfan called the deceased for
'Panchayati' for the dispute relating to the land where it has
been alleged that the accused persons including the petitioner
conspired and killed the brother of the informant.

As per the averment made in the FIR, the omnibus
allegation has been made against the accused persons of killing
the informant's brother. The further averment is that the co-



accused Md. Irfan who had called the informant's brother for 'Panchayati' has since been released on bail vide Cr. Misc. No.35832 of 2021 on 23.03.2022 by a co-ordinate Bench of this Court.

Taking into account the aforesaid fact that omnibus allegation has been made against the accused persons including the petitioner herein, he is in custody since 16.12.2021, charge-sheet stands submitted and one of the co-accused namely Md. Irfan has since been granted bail by a co-ordinate Bench, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Sessions Trial No.119 of 2022 arising out of Supplementary Beldar P.S. Case No.327 of 2020, G.R. No.3516 of 2020 to the satisfaction of learned Additional Sessions Judge, Vth, Khagaria, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail
by the Trial court itself;

(iii) the petitioner shall in no way try to induce or
promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of his bail bonds;

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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