

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47713 of 2021

Arising Out of PS. Case No.-143 Year-2021 Thana- BARUN District- Aurangabad

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PRAVEZ ANSARI @ PRAVEZ ALAM Son of Late Rafique @ Mohammad
Rafik Ansari Resident of Village - Hetampur Sirish, P.S.- Barun, District -
Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ansul, Advocate
		Mr. Anuj Kumar, Advocate
For the Opposite Party/s	:	Mr. Rana Randhir Singh, APP
For the Informant	:	Mr. Alok Chaubey, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 09-03-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 307 and other sections of the Indian Penal Code to which section 302 of the Indian Penal Code was added subsequently.

As per the prosecution case, the nine named accused persons came variously armed and as a result of assault by them Jitan Prasad Khatri was seriously injured.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. On the death of the injured Jitan Prasad Khatri in course of treatment on 11.6.2021, section 302 of the Indian Penal Code was added.



Referring to the FIR it is submitted that a very detailed description of the alleged occurrence attributing specific role to the nine named accused persons has been given in the FIR, however, the petitioner has not been named. The petitioner was falsely implicated in the case subsequently in the further statement of the informant. The investigation in the case has concluded. The petitioner is in custody since 13.6.2021 and has no criminal antecedent.

The application for bail is opposed by learned APP for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that in course of investigation all the witnesses have named the petitioner as having actively participated in the occurrence. The wife of the deceased has specifically named the petitioner that armed with sword he was one of the assailant of her husband.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the petitioner not having been named in the FIR, his being in custody for 8 months and investigation in the case having concluded, the petitioner is directed to be enlarged on bail in connection with Barun P.S. Case no. 143 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of the learned
Chief Judicial Magistrate, Aurangabad.

(Partha Sarthy, J)

Spd/-

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