

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50791 of 2021

Arising Out of PS. Case No.-180 Year-2020 Thana- GORAUL District- Vaishali

MD. ISLAM S/O LATE NURUL HODA R/o village- Goraul, P.S.- Goraul,
District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh, Adv.

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-01-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Goraul P.S.Case No.180/2020 registered for the offence under Sections 302/34 IPC.

The prosecution case is that the informant Jainab Khatoon had submitted a written application before the officer in charge of Goraul Police station alleging inter alia that her daughter Sanjida Khatun was in love with Md. Pravez son of Md. Islam and both of them were ready for marriage, but father of Md. Pravez namely Md. Islam was not ready and two days



back, he along with his entire family gave threat to kill. In the meanwhile, Md. Islam and his three sons killed her daughter by strangulating her neck and hanged her by wrapping dupatta around her neck.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that it appears from the FIR itself that the allegation is general and omnibus against all the five named accused persons. He further submits that co-accused, namely, Mohd. Mumtaj @ Mumtaj Ahmad has been granted privilege of anticipatory bail by a Coordinate Bench of this Court vide order dated 03.08.2021 in Cr. Misc. No.1263 of 2021. He further submits that co-accused, namely, Gulam Shabri has been granted privilege of bail by a Coordinate Bench of this Court vide order dated 05.04.2021 in Cr. Misc. No.926 of 2021. Petitioner is in custody since 23.03.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of



the like amount each to the satisfaction of learned A.C.J.M.-1,
Vaishali at Hajipur in connection with Goraul P.S. Case
No.180/2020 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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