

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53492 of 2021

Arising Out of PS. Case No.-752 Year-2020 Thana- MUFFASIL District- West Champaran

REYAZ AHMAD @ AYAZ AHMAD, Son of Late Md. Hadish Resident of
Village - Sonhipatti, Tola Dhum Nagar, P.s.- Phulwariya, Sripur (O.P.), Distt.-
Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Mokhtar Ansari

For the Opposite Party/s : Mrs.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 04-04-2022 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 Bettiah
Muffasil (Manupul) P.S. Case No.752 of 2020, registered for
the offence under Sections 302, 120B/34 of the IPC and Section
27 of the Arms Act.

As per allegation in the FIR, the informant's son was
shot dead by three unknown criminals while he was going to
Bettiah on his motorcycle.

Learned counsel for the petitioner submits that he has



clean antecedent and has falsely been implicated in the present case only on the basis of suspicion. He further submits that no eye-witness of the alleged occurrence and in fact the informant is the mastermind of the present occurrence. He further submits that during investigation save and except the confessional statement of the petitioner nothing has come against the petitioner and the police after investigation submitted charge-sheet against the petitioner. The petitioner is in custody since 26.12.2020.

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

Considering the fact 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 CJM, West Champaran, Bettiah in connection with Bettiah Muffasil (Manuapul) P.S.Case No.752 of 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 absence on two consecutive dates without sufficient



reason, his 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 bond 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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