

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44957 of 2022

Arising Out of PS. Case No.-172 Year-2021 Thana- TATARPUR District- Bhagalpur

MD. AZHAR S/O MD. IZHAR Resident of village- Sadruddinchak, P.S.-
Habibpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 24-11-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

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

The petitioner seeks bail in connection with
Tatarpur P.S. Case No. 172 of 2021 registered for the offences
punishable under Sections 341, 342, 504, 506, 385, 386, 34 of
the Indian Penal Code.

As per prosecution case, there is allegation against
the petitioner and others of demanding ransom of nine thousand
per month from three shops.

Learned counsel for the petitioner submits that
petitioner is in custody since 26.05.2022 and bears no criminal
antecedent. He further submits that petitioner is innocent and



committed no offence and he has falsely dragged in this case due to village politics. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that as per prosecution case, except the allegation of *rangdari* on account of business rivalry, there is nothing on record to connect the petitioner with the alleged occurrence. Co-accused Md. Ejaz and Md. Wasim on similar allegation have already been granted bail by co-ordinate Bench of this court vide Cr. Misc. No. 25778 of 2022 and Cr. Misc. No. 26147 of 2022 respectively.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, co-accused has already been granted bail, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, as submitted, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Bhagalpur in connection with



Tatarpur P.S. Case No. 172 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

shahzad/-

U		T	
---	--	---	--

