

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55791 of 2021

Arising Out of PS. Case No.-521 Year-2018 Thana- KAHALGAON District- Bhagalpur

MD MUMTAZ @ MUMTAZ KHAN Son of Jabbar Khan Resident of Village
- Chote Karikado, P.S.- Shiv Narayanpur, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-02-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period of
four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with S.T.
No. 106 of 2019 arising out of Kahalgaon (Rasalpur) P.S. Case No.
521 of 2018 instituted for the offences under Sections 302 and
120(B) of the Indian Penal Code read with Section 27 of the Arms
Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 11.06.2021, is a person with clean
antecedent and charge-sheet has been submitted.

Learned counsel for the petitioner submits that
informant alleges that the accused persons had threatened the
father of the informant that he should hand over the land



purchased by him as they purchased the said land or else the consequences would be bad, thus it is alleged that when the dead body of the father with gun shot injury in his mouth was recovered the informant suspected the role of the petitioner in the occurrence.

Learned counsel for the petitioner submits that from perusal of the allegation as alleged in the FIR, it would manifest that petitioner has been implicated in the present case based on suspicion, learned counsel submits that there is no eyewitness to the occurrence and similarly situated co-accused have been granted bail as detailed in para 13 and 17 of the bail application.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody, is a person with clean antecedent, charge-sheet has been submitted and co-accused have been granted bail, 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 4th Additional District & Sessions Judge, Bhagalpur in connection with S.T. No. 106 of 2019 arising out of Kahalgaon (Rasalpur) P.S. Case No. 521 of 2018.

(Satyavrat Verma, J)

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