

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53716 of 2022

Arising Out of PS. Case No.-59 Year-2022 Thana- CHERIYA BARIYARPUR District-
Begusarai

=====

Md. Anayatullah @ Toni Son of Md. Salauddin, Resident of Village - Pabra,
P.S. - Cheria Bariyarpur, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rai Mukesh Sharma, Advocate
For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 23-12-2022 This matter has been listed today for consideration
through Video Conferencing.

Learned counsel for the petitioner is permitted to
remove the defect/(s), as pointed out by the office, if any, within
a period of four weeks from today.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Cheria Bariarpur, Manjhaul (O.P.) P.S. Case No. 59 of 2022 for
the offence punishable under Sections 302/34 of the I.P.C.

Prosecution case in brief is that co-accused
Prabhakar Singh and Ranjan Singh have given several blow on
whole body of the father of the informant by means of Bhala
and Knife. It is alleged that co-accused Ranjan Singh was



demanding way in personal land of informant due to that reason both named accused persons and 3-4 unknown persons have killed the father of the informant.

Learned counsel for the petitioner submits that the petitioner was neither named in the F.I.R. nor any suspicion raised against him. During the investigation on the basis of CCTV footage he was arrested after three months of the alleged occurrence and name of the petitioner has been introduced and his confessionals statement has been recorded having no evidential value. Further it is submitted that petitioner is a resident of same village of place of occurrence but no villagers have identified him as accused. The petitioner is in judicial custody since 26.06.2022 and he has one criminal antecedent. It is further submitted that the charge sheet has already been submitted by the police and there is no chance of tampering any evidence of prosecution.

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

Considering the aforesaid facts and circumstances of the case, 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 S.D.J.M., Manjhaul, Begusarai / Successor Court in connection with Cheria Bariarpur Manjhaul (O.P.) P.S. Case No. 59 of 2022, subject to the following conditions.

(I) Petitioner shall cooperate in the trial and shall be physically present 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.

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

(Sunil Dutta Mishra, J)

kamlesh/-

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

