

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22368 of 2023

Arising Out of PS. Case No.-5 Year-2023 Thana- TARABARI District- Araria

MD. ANJAR S/O SAJJAD @ HABRU R/O Village- Jhamata Ward No. 10,
P.S- Tarabari, Distt.- Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Vaishnavi Thakur, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 14-07-2023 Heard Ms. Vaishnavi Thakur, learned counsel for
the petitioner and learned APP for the State.

Petitioner seeks bail, who is in custody since
20.01.2023, in connection with Tarabari P.S. Case No. 05 of
2023, F.I.R. dated 15.01.2023 registered for the offences
punishable under Sections 302, 201 of the Indian Penal Code.

The F.I.R. of the occurrence of murder is against
unknown.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. She further submits that the
petitioner is not named in the F.I.R. and the name of the
petitioner has been transpired during investigation on the basis
of confessional statement of co-accused and self confessional



statement of the petitioner. She further submits that it has come during investigation that the petitioner was last seen with the deceased and except the aforesaid, no other cogent material has come against the petitioner to suggest the involvement of the petitioner in the present occurrence and the brother of the informant was misplaced on 13.01.2023 but the present F.I.R. was instituted on 15.01.2023 after recovery of the brother of the informant. She further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 20.01.2023.

The learned Additional Public Prosecutor for the State has vehemently 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate 1st Class, Araria in connection with Tarabari P.S. Case No. 05 of 2023, subject to 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 witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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