

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29284 of 2022

Arising Out of PS. Case No.-26 Year-2021 Thana- KADWA District- Katihar

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AJAD ALAM SON OF MOHAMMAD ABDUL HAQUE @ ABDUL
HAQUE RESIDENT OF VILLAGE - MANSHELI P.S. - PARANPUR,
DIST KATIHAR Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Kumar

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 08-02-2023 Learned counsel for the petitioner is directed to remove

all the defects pointed out by the Stamp Reporter within one

month.

Heard learned counsel for the petitioner as well as
learned APP for the State.

The petitioner apprehends his arrest in connection with
Kadwa P.S. Case No. 26 of 2021, registered for the offences
punishable under Sections 302, 120(B) of the Indian Penal Code.

As per allegation, co-accused Md. Shafique Alam @
Kalu called the brother of the informant and next day the dead
body of his brother was found.

Learned counsel for the petitioner has submitted that
there is nothing against the petitioner except confessional
statement of co-accused Md. Shafique Alam. Only Shafique Alam
has been named in the FIR and three witnesses have been



examined till now in Sessions Trial No. 179/2021 in which Shafique Alam is facing trial and all the three witnesses did not name the petitioner.

The learned Addl.P.P. has fairly admitted that except confessional statement of co-accused, there is nothing against the petitioner. The witnesses examined till now did not name the petitioner rather they have taken the name of co-accused Shafique Alam.

Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Kadwa P.S. Case No. 26 of 2021, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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