

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47829 of 2022

Arising Out of PS. Case No.-69 Year-2022 Thana- SIKTI District- Araria

=====

KHURSHID ALAM @ MD KHURSHID S/o Mehruddin Resident of village-
Salgodi, P.S.- Sikty, District- Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh, Adv.

For the Opposite Party/s : Mr.Murli Dhar, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 08-02-2023 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 147, 149, 323, 379, 363, 365, 504
and 506 of the Indian Penal Code.

The daughter of the informant is said to have
allegedly been traceless and it is alleged that she might have
been killed by the brother-in-law of the informant

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. He
further submits that this case is an outcome of retaliation of
Sikty P.S. Case No. 54 of 2022 which has been lodged by the



petitioner against the family member of the informant. As a matter of fact, the occurrence is alleged to have been committed on 05.03.2022 whereas the F.I.R. has been lodged on 16.03.2022 after lapse of 11 days without any explanation of inordinate delay. He further submits that the petitioner happens to be brother-in-law of the informant and this case has only been filed only to harass the petitioner due to earlier dispute. He further submits that statement of victim recorded under Section 164 Cr.P.C. is not supported by any medical evidence. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 15.05.2022.

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

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sikty P.S. Case No. 69 of 2022 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) 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.

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 antecedent, 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)

brajesh/-

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

