

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56366 of 2022

Arising Out of PS. Case No.-112 Year-2022 Thana- BELDOUR District- Khagaria

MD. ANWAR Son of Md Sultan R/V- Chodhali, P.S- Beldaur, Dist- Khagaria
(Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bishweshwar Ram, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 21-03-2023 Let the defect(s), if any, pointed out by the office be removed within four weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Beldour P.S. Case No.112 of 2022 registered for the offences punishable under Sections 302, 120(B) and 34 of the Indian Penal Code.

As per the prosecution, the informant's son (deceased) was strangled to death by this petitioner along with other co-accused persons. Further it is alleged that the informant's daughter-in-law had illicit relation with this petitioner due to



which the victim was killed under conspiracy.

The main submissions advanced by the learned counsel for the petitioner are that the petitioner has fair and clean antecedent and as per the FIR only suspicion was raised by the informant against the petitioner and co-accused persons on account of alleged illicit relationship between the wife of deceased and this petitioner but no one including the informant claimed to have seen the alleged occurrence of murder and during investigation the police mainly relied upon the confessional statement of co-accused Sahjadi Khatoon and this petitioner given before the police in respect of petitioner's involvement in the alleged crime but except these statements there is no any other material or evidence to connect the petitioner to the alleged crime and the investigation has been completed against him and he has been languishing in jail since 11.05.2022 and co-accused Md. Akal @ Iqbal who is also named in the FIR has been granted bail by a Co-ordinate Bench of this Court vide order passed in Cr. Misc. No.56002 of 2022 and co-accused Sahjadi Khatoon has also been granted bail by this Court and the case of this petitioner stands on similar footing with the said co-accused Sahjadi Khatoon.

Learned APP appearing for the State has opposed the



bail prayer.

In view of the facts, as stated above, and mainly considering the privilege of Regular Bail having been granted to above-mentioned co-accused persons who are named in the FIR and the informant mainly raised suspicion against the petitioner on account of the alleged illicit relationship between victim's wife and this petitioner and during investigation no one claimed to have seen the commission of the alleged murder by this petitioner, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the 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 the concerned Court in connection with Beldour P.S. Case No.112 of 2022.

(Shailendra Singh, J)

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