

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59753 of 2023

Arising Out of PS. Case No.-83 Year-2023 Thana- KATIHAR MUFFASIL District- Katihar

Md. Afjal @ Md. Afjal Ansari S/O Md. Sabir R/O Village- Digghi, P.S-
Mufassil, Distt.- Katihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Ranjan

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-09-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in a case instituted
for the offence under Sections 302, 307, 326, 354(B)/34 of the
Indian Penal Code.

As per allegation in the FIR, petitioner entered into
the group of dancing ladies in a marriage ceremony upon which
informant and his companion made objection. On next day,
petitioner and others armed with knife, sword, country made
pistol came to the place of occurrence. Petitioner and md.
Masoom caught his son and accused Shahnawaz and Feroz
penetrate knife on the abdomen of informant's son. Another boy,
namely Sumit Kumar also sustained knife blow in his hand.
Informant's son died during course of treatment.



It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case only because he is relative of main accused. Specific allegation of penetrating knife is against md. Shahnawaz and Feroz. General and omnibus allegation has been levelled against the petitioner. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 28.08.2023 passed in Cr. Misc. No. 46963 of 2023. Petitioner has got no criminal antecedent and he is languishing in judicial custody since 29.4.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned CJM, Katihar in connection with Mufassil P.S. Case No. 83 of 2023.

(Sunil Kumar Panwar, J)

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