

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62949 of 2022

Arising Out of PS. Case No.-128 Year-2010 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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AFTAB ALAM @ MD. PAINTER SON OF MD. ANABAR RESIDENT OF
KALIBARI, NAYA TOLA, MUZAFFARPUR, P.S.- TOWN THANA,
DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Kumar Pathak
For the Opposite Party/s : Mr.Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 05-07-2023 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Section 302 of the Indian Penal Code.

As per the prosecution case, on 29.03.2010 at about 9-10 hours, while informant reached the house of his wife at Imamganj, he saw that his son was lying dead. Informant suspects that his family members have committed the murder of his son.

Petitioner is not named in the F.I.R. Petitioner is brother of the deceased. As a matter of fact, the informant, who is father of the petitioner, had deserted his family members for the last ten years and more. As per F.I.R., the alleged occurrence took place in the year 2010, but on 28.04.2022 for the first time, police came at the house of petitioner and apprehended his



mother. During course of investigation, name of the petitioner transpired, but no incriminating material has come against him to show his complicity in the aforesaid crime. Sister of the petitioner namely Shahjahan Khatoon has already been granted anticipatory bail by the learned Court below itself (Annexure – 2).

Petitioner has got clean antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged 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 C.J.M., Muzaffarpur in connection with Muzaffarpur Nagar P.S. Case No. 128 of 2010, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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