

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70402 of 2023

Arising Out of PS. Case No.-29 Year-2023 Thana- KASBA District- Purnia

MD. IFTEKHAR @ IFTEKAR S/O- MD. SAJJAD MOLVI @ MD. SAJJAD
RESIDENT OF MIRJABARI PS KASBA DISTRICT PURNEA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Kasba P.S. Case No. 29 of 2023 dated 20.01.2023, instituted for the offence punishable under Section 302/34 of the Indian Penal Code.

3. The prosecution case, in short, is that co-accused Sanjeev Kumar had taken informant's son Pradip Kumar Yadav to Birpur for catering work on daily wages. For the said catering work, accused persons, namely, Chandu Kumar, Kaju Kumar and Md. Iftekhar (petitioner) had also gone to Birpur along with 8-10 persons in his auto. On 20.01.2023 at about 5 a.m., the informant woke up and found that all the accused persons had fled away after leaving the dead body of her son Pradip Kumar



Yadav in the courtyard.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that no specific overt act has been attributed against the petitioner, rather, general and omnibus allegation has been levelled against him. There is specific allegation against co-accused Sanjeev Kumar, who had taken informant's son to Birpur for catering work. It is submitted that petitioner has no concern with the said Sanjeev Kumar. It is submitted that co-accused Kaju Kumar @Kaju @Aslam @ Md. Aslam has been granted bail by a Co-ordinate Bench of this Court *vide* order dated 12.06.2023 passed in Criminal Miscellaneous No. 29737 of 2023. Lastly, it has been submitted that petitioner has no criminal antecedents.

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

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner in connection with Kasba P.S. Case No. 29 of 2023, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of the learned Chief Judicial Magistrate, Purnea,
subject to condition as laid down under Section 438(2) of the
Cr.P.C..

(Khatim Reza, J)

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