

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68835 of 2023

Arising Out of PS. Case No.-27 Year-2021 Thana- MANSAHI District- Katihar

Md. Ansar, aged about 29 years, Male, son of Md. Amir Hussain @ Amir Hussain, resident of Lahasa, P.S. - Mansahi, Distt- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 08-11-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
S. T. No.206 of 2021 arising out of Mansahi PS Case No.27 of
2021 dated 21.03.2021, instituted under Sections 302, 201, 120-
B/34 of the Indian Penal Code.

3. The prosecution case, in short, is that the
informant's father and the petitioner was doing business of
mustard and *makhana* together. On the alleged date of
occurrence, the informant's father had gone with the petitioner
to village Lahasa for collecting dues money. Father of the
informant did not return and his mobile was switched off.
Thereafter, the informant went to the house of petitioner and
enquired about his father upon which he replied that his father



did not come to him. On the next day, the informant found a *farsa* having blood on it and dead body of his father in a maize field. The informant suspected that his father has been murdered by the petitioner and his associates with a view to grab the dues money of the business.

4. Learned counsel for the petitioner submits that the police after investigation submitted charge-sheet against four persons and the petitioner was not sent up for trial. Accordingly, court below took cognizance against four persons and discharged the petitioner. However, during the course of trial, the witnesses have taken the name of the petitioner also. Accordingly, the court below upon the petition filed by the informant has summoned the petitioner under Section 319 Cr. P.C. to face trial. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on 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



ADJ-V, Katihar, in S. T. No.206 of 2021 arising out of Mansahi
PS Case No.27 of 2021, subject to the conditions laid down in
Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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