

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8652 of 2024

Arising Out of PS. Case No.-137 Year-2023 Thana- LAXMIPUR District- Jamui

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Usman Ansari @ Arman Ansari SON OF ISLAM ANSARI Resident of
village -kishanpur Ps- Margo Munda District- Deoghar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar, Advocate

For the Opposite Party/s : Mr.Satyendra Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 09-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Laxmipur (Gidhour O.P.) P.S. Case No. 137 of 2023 instituted
for the offences punishable under Sections 302, 201, 34 of the
Indian Penal Code.

3. As per prosecution case, on 29.03.2023 at about
9.30 O' Clock, while the informant who happens to be
'Chowkidar' was in his area and making round, then he received
information that in Sansarpur village at NH-333 one unknown
dead body is lying and when he went there he saw that one
person aged about 40 years was found lying dead having some
injuries on the neck. He gave such information to the concerned



S.H.O. who has arrived along with other police personnel and they tried to identify the body but could not do so. Accordingly, the F.I.R. has been lodged.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Petitioner is not named in the F.I.R. There is no eye witness of the alleged occurrence. His name has been transpired on the basis confessional statement of co-accused Ajmer Bhushan and self confessional statement before the police and Ajmer Bhushan has been granted bail by this Court vide order dated 06.11.2023 passed in Cr. Misc. No. 70404 of 2023. Moreover, he is languishing in judicial custody since 19.11.2023.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. From perusal of the F.I.R., impugned order dated 21.12.2023 and case diary, it appears that on the basis of fardbeyan of local Chowkidar, the F.I.R. registered against unknown persons. During investigation, the name of the petitioner has been surfaced on the basis of confessional statement of co-accused Ajmer Bhuan and self confessional statement. Save and except confessional statement there is no



material against the petitioner. Similarly situated co-accused persons have already been granted bail by this Court vide order dated 21.09.2023 passed in Cr. Misc. No. 53532 of 2023 and order dated 14.07.2023 passed in Cr. Misc. No. 39803 of 2023, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Jamui in connection with Laxmipur (Gidhour) P.S. Case No.137 of 2023.

(Ramesh Chand Malviya, J)

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