

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13625 of 2024

Arising Out of PS. Case No.-449 Year-2018 Thana- BANKA District- Banka

Imtiyaz Ansari Son Of Jabbar Ansari Resident Of Village- Naya Toli, Ps-
Pithoria, Distt- Ranchi , Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md.Najmul Hodda

For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-04-202 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Section 302 of the Indian
Penal Code.

Prosecution case in nutshell is that informant
got information that his daughter Madhu Kumari has
committed suicide by hanging herself. After getting the
information, he went to see her daughter and found a
mark in her neck. Informant raised suspicion that
unknown persons have committed murder of her



daughter by pressing her neck and hanged her dead with fan.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Neither the petitioner is named in F.I.R. nor anything incriminating has been recovered from his conscious possession. The name of petitioner sprang up in this case merely on the basis of suspicion. It is further submitted that after investigation, the police has submitted chargesheet u/s 306 of Indian Penal Code. Moreover, the petitioner is languishing in judicial custody since 10.08.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated co-accused, namely, Saddaam Ansari has already been granted bail vide order dated 19.04.2023, passed in Cr. Misc. No. 70944 of 2022 by this Court.

Learned APP appearing for the State and learned counsel for the informant have vehemently



opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Banka P.S. Case No. 449 of 2018 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VI-cum-Special Judge POCSO, Banka, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be present on each and every fixed date and on his absence on two consecutive dates without sufficient reason, his bail bond shall be canceled by the Court below.

2. if the petitioner tampers with the evidence or threatens the witnesses, in that case, the prosecution



will be at liberty to move for cancellation of bail.

3. If the petitioner repeat the offences of similar nature, as alleged in the present case, the prosecution will be at liberty to move for cancellation of bail.

(Sunil Kumar Panwar, J)

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