

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26934 of 2024

Arising Out of PS. Case No.-32 Year-2023 Thana- MUSRIGHRARI District- Samastipur

Md. Anzar @ Md. Anjar Hussain S/o Md. Khalid R/o Morwa Bazar, P.S. -
Tajpur, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Soban Asghar, Adv.

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

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

ORAL ORDER

2 18-04-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection with Musrigharari P.S Case No. 32 of 2023 registered for the offences punishable under Sections 302, 34 of the I.P.C. & 27 Arms Act.

3. As per prosecution case, the minor son of the informant was shot dead by unknown miscreants.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. It is further submitted that informant is not an eye witness. It is next submitted that petitioner is not named in FIR



and his name has come on the basis of confessional statement of co-accused. It is also submitted that one of the co-accused has already granted bail by this Court *vide* order dated 04.08.2023 passed in Cr. Misc. No. 47521 of 2023. It is also submitted that petitioner is in judicial custody since 25.09.2023.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail ***after framing of the charge*** on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-1st, Samastipur in connection with Musrigharari P.S Case No. 32 of 2023.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within



a period of 15 days from the date of receipt of a copy of this order. However, it is made clear that *if the charge-sheet has not been submitted* then the petitioner shall be released on bail on the above conditions and he shall be present physically on each and every date before the trial court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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