

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25642 of 2024

Arising Out of PS. Case No.-17 Year-2019 Thana- BHITAHA District- West Champaran

Md. Rizwan S/o- Nathuni Sheikh R/o Vill- Bhuidharwa Sheikhpatti, P.S.-
Bhitaha, Dist- Wesh Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-09-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 394 and 302/34 of the
Indian Penal Code and Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that the
petitioner is in custody since 6-12-2023 and is a person with
clean antecedent and the informant alleges that his brother had
gone to Bhuidharwa Sheikhpatti for collecting money from the
local villagers but he was shot dead by unknown accused
person.

4. Learned counsel for the petitioner submits that
informant is not an eye-witness to the occurrence and his name
transpired during the course of investigation based on



confession of co-accused. Learned counsel next submits that co-accused Alauddin @ Musa @ Allauddin has been granted bail by an order dated 16-10-2019 in Cr. Misc No. 40888 of 2019.

5. On query of the Court that as to whether charges have been framed against the petitioner or not, on which the learned counsel appearing on behalf of the petitioner submits that charges till date have not been framed.

6. Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

7. Considering the fact that petitioner is in custody, charge-sheet has been submitted, FIR is against unknown and co-accused Alauddin @ Musa @ Allauddin and Sharif Sai have been granted bail, let the petitioner above named be released on bail 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 trial court where the case is pending/successor court in connection with Bhitaha P.S. Case No.17 of 2019, with a condition that petitioner will have to mark his attendance before the concerned police station in between 25th to 30th of every month commencing from September, 2024 till the charges are not framed.

8. In the event, if the concerned police station reports



to the learned trial court that petitioner has violated the condition imposed as recorded hereinabove in any of the month before framing of charges, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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