

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33392 of 2024

Arising Out of PS. Case No.-804 Year-2023 Thana- MUFFASIL District- West Champaran

Hasmat Ansari Son Of Bhikham Miyan Village -Tuniya PS- Manuapul OP
District -West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Prem Kumar Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-05-2024 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Section 302/34 of the Indian Penal Code.

3. As per the prosecution case, on 12.12.2023 at about 10:00 AM, while father of the informant was sitting in his office, then two persons namely Manoj Kumar and one unknown came and requested him to come to Kudiya Kothi for some work. Thereafter, father of the informant went to Kudiya Kothi by a public transport and when he did not return home, then informant started searching him with his family members. It is further alleged that during search, the informant came to know that due to previous enmity, the F.I.R. named accused persons and some unknown persons killed his father by stabbing knife.



4. Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. and his name transpired during investigation on the confessional statement of co-accused Sharif Ansari. He further submits that from perusal of the F.I.R., it clearly manifests that the thrust of accusation is against F.I.R. named accused persons and there is no whisper against the petitioner in the entire F.I.R. Except confessional statement, no other material is available on record to show the complicity of the petitioner in the present case.

5. Considering the facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah Muffasil (Manuapul O.P.) P. S. Case No. 804 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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