

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34926 of 2024

Arising Out of PS. Case No.-79 Year-2024 Thana- NARPATGANJ District- Araria

Md. Zubair SON OF LATE SHAKIR R/O - GOKHLAPUR WARD NO. 6,
P.S.- NARPATGANJ, DIST- ARARIA

... .. Petitioner/s

Versus

The State Of Bihar PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv. Ms. Vaishnavi Singh, Adv. Mr. Ritwik Thakur, Adv.
For the Informant	;	Vijay Kishore Bharti, Adv.
For the Opposite Party/s	:	Mr.Nagendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 15-05-2024 Heard learned counsel for the petitioner and learned
counsel for the informant as well as learned A.P.P for the State.

2. Learned counsel for the petitioner is permitted to
make necessary correction in para-3 of the bail petition during
the course of the day.

3. The petitioner has preferred this application for
grant of regular bail in connection with Narpatganj P.S. Case
No. 79 of 2024 dated 10.02.2024 registered for the offences
punishable u/ss 147, 149, 341, 323, 325, 302, 201 of the Indian
Penal Code.

4. As per the prosecution case, when the informant's
brother and her cousin brother were going to Sukrawari Hat,



Gokhlapur, in the meantime, the petitioner and the co-accused persons started assaulting them. It is further alleged that when the informant's son went to bring household articles, in the meantime, the petitioner and the co-accused persons assaulted him with fists and legs due to that he died on the spot and kept the dead body near the canal for the purpose of concealment.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. As per postmortem report, no any external injury was found on any part of the body of the deceased. It is further alleged that the informant's son was suffering from heart ailment. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 11.02.2024.

6. Learned counsel for the informant as well as learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and stated that the petitioner assaulted the deceased with legs on his heart due to that he died.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of



the like amount each to the satisfaction of learned Court concerned, Araria in connection with Narpatganj P.S. Case No. 79 of 2024, with a condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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