

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36719 of 2024**

Arising Out of PS. Case No.-45 Year-2024 Thana- HARSIDHI District- East Champaran

Wazir Alam @ Vajir Alam Son of Rashid Ahmad Resident of village - Jhadwa, P.S.- Harsidhi, District - East Champaran.

... .. Petitioner/s

Versus

## The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Singh  
For the Opposite Party/s : Mr. Ashok Kumar Singh  
For the Informant : Mr. Rajesh Kumar

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      26-06-2024                      1. Heard learned counsel for the petitioner and  
learned A.P.P. for the State along with learned counsel  
appearing on behalf of the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 302, 201 and 120-B of the Indian Penal Code.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and has been falsely implicated in the instant case by the informant with an allegation that on 28.01.2024, Idu @ Saif along with Nagendra Manjhi and two unknown persons came at her residence and took her son along with them, but when her



son did not return till late in the light, a search was made and thereafter body of the deceased was found wrapped in a *saree* thrown in the bushes near Jharwa Dariyapur, thus, based on suspicion alleges that her son was killed by the named accused persons along with the unknown accused who had accompanied them. It is next submitted that informant is not an eye witness to the occurrence and the name of the petitioner transpired in the confessional statement of Idu @ Saif in police custody which does not have any evidentiary value. It is also submitted that it absolutely does not stand to reason that as to why the petitioner would have participated in the occurrence without any motive, as the FIR does not even remotely suggest that as to why the accused persons would have killed the son of the informant. It is also submitted that the entire allegation hinges around suspicion.

4. Learned A.P.P. for the State along with learned counsel appearing on behalf of the informant oppose the prayer for anticipatory bail of the petitioner, but then are not in a position to rebut the submission of the learned counsel for the petitioner that the entire allegation hinges around



suspicion and petitioner is not even named in the FIR and his name transpired in the confessional statement of apprehended accused.

5. At this stage, the learned counsel appearing on behalf of the informant submits that in the event if anticipatory bail is granted to the petitioner, the petitioner may abscond, the said submission is rebutted by the learned counsel appearing on behalf of the petitioner and it is submitted that petitioner will not abscond rather will co-operate in the investigation.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds 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 Harsidhi P.S. Case No. 45 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation or is not presenting himself, in that event the learned Trial Court shall be at liberty to forthwith cancel the bail bonds of the petitioner.

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

**(Satyavrat Verma, J)**

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