

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42049 of 2024

Arising Out of PS. Case No.-296 Year-2022 Thana- JOKIHAT District- Araria

MD. YAKUB ALAM @ MD. YAQUB ALAM @ MD. YAQUB @ MD.
AKUBS SON OF LATE AJIMUDDIN RESIDENT OF VILLAGE AND
POST - KURSAIL, P.S. - JOKIHAT, DISTRICT - ARARIA, STATE -
BIHAR, PIN CODE - 845329

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awnish Kumar

For the Opposite Party/s : Mr.Pranav Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 02-08-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. In this case, the petitioner is seeking regular bail
in connection with Jokihat (Mahalgaon) P.S. Case No. 296 of
2022, registered for the offences punishable under Sections 302,
201, 120(B)/34 of the IPC.

3. As per allegation, when the informant's younger
brother has not returned from his hardware shop, a search was
made by his family members. During search, they found that
after killing informant's brother by slitting his throat, some
unknown miscreants have thrown his dead body in a pit. His
motorcycle and slipper were also scattered there. Prior to the



incident, the accused persons had threatened to kill the family members of the informant.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. He is not named in the FIR. Nothing was recovered from his possession. He has submitted further that the name of the petitioner has figured in confessional statement of co-accused Md. Gulfaraz and Ata Hasan @ Md. Ata Hussain, who have been granted bail by a coordinate Bench of this Court in Cr. Misc. No. 70404 of 2022. In confessional statement of co-accused persons, the name of Md. Jahagir has figured as the main assailant of the deceased and he has also been granted bail by a coordinate Bench of this Court in Cr. Misc. No. 27652 of 2023.

5. On the other hand, the learned APP for the State Sri J.N. Thakur has opposed the prayer for bail and submitted that the name of the petitioner has figured in confessional statement of co-accused Md. Gulfaraz and Ata Hasan @ Md. Ata Hussain.

6. The case of the petitioner is on better footing than that of co-accused, who have been granted bail by a coordinate Bench of this Court.

7. Considering the above-mentioned facts and



circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Jokihat (Mahalgaon) P.S. Case No. 296 of 2022, subject to the following condition:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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