

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64046 of 2024

Arising Out of PS. Case No.-198 Year-2024 Thana- AMAUR District- Purnia

Akbar @ Akbar Hussain Son of Abdul Kadir @ Kadir @ Abdul Quader
Resident of Fuleshri PS- Rauta District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Fazle Karim, Adv
For the Opposite Party/s : Mr. Rajiv Nayan, APP

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

ORAL ORDER

2 05-10-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Amour P.S. Case No. 198 of 2024 dated 20.05.2024 registered for the offences punishable u/s 302 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, on 19.05.2024 at about 6P.M., the co-accused Md. Zabir @ Mangla came to the house of the informant and took away her husband and her husband did not return to his house and the informant tried to contact with her husband but his mobile was found switched off. On 20.05.2024 at about 7 A.M., the dead body of the informant's



husband was found at the bank of Das river.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has sprung up in the confessional statement of the co-accused Md. Zabir @ Mangla which has no evidentiary value in the eye of law. There is no specific allegation against the petitioner. The petitioner has no concern with the alleged occurrence. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 22.05.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the nature of allegation levelled against the petitioner 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, Purena in connection with Amour P.S. Case No. 198 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 be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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