

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79848 of 2023

Arising Out of PS. Case No.-98 Year-2023 Thana- BAISI District- Purnia

Md. Shahadat Son Of Late S.K. Faruque @ Late Farook Resident Of Village-
Minapur, Police Station- Baisi District- Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md. Helal Ahmad, Advocate
		Mr. Ejaz Akhtar, Advocate
For the Opposite Party/s	:	Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

6 05-04-2024 Heard learned counsel for the petitioner; learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Baisi
P.S. Case No. 98 of 2023 dated 02.03.2023, instituted for the
offence punishable under Sections 365/34 of the Indian Penal
Code and under Section 302/201 of I.P.C. is added vide order
dated 11.03.2023.

3. It is alleged that on 28.02.2023 husband of the
informant went out for work but did not return. On search, the
informant came to know that her husband consumed liquor and
went to the house of Lakhan Adiwasi. It is further alleged that
this petitioner along with other accused persons killed the
husband of the informant.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the F.I.R. has been lodged against four accused persons and the name of the petitioner has been transpired on the basis of the disclosure made by the co-accused namely, Lakhan and from perusal of the statement of Lakhan, it appears that even Lakhan is not the eye witness of the alleged occurrence and at the best the petitioner was the last person seen with the deceased and no one has seen the present occurrence. It is further stated that the similarly situated co-accused namely, Rajesh Baski @ Rajesh Adiwasi has been granted bail vide order dated 01.08.2023 passed by a Co-ordinate Bench of this court in Criminal Miscellaneous No. 38851 of 2023. (Annexure P/2). Lastly, it has been submitted that the petitioner is in custody since 03.10.2023 having no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. and learned counsel for the informant vehemently opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let



the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with Baisi P.S. Case No. 98 of 2023.

(Khatim Reza, J)

sankalp/-

U		T	
---	--	---	--

