

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84505 of 2023

Arising Out of PS. Case No.-196 Year-2022 Thana- RAMNAGAR District- West Champaran

Jafar Khan @ Jaffar Khan Son Of Changez Khan Resident Of Village -
Danmarwa, Police Station - Ram Nagar, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-01-2024 Heard Mr. Milind Kumar Mishra, learned counsel
for the petitioner and Mr. Ajay Kumar Jha, learned APP for the
State.

2. The petitioner is apprehending his arrest connection with Ramnagar P.S. Case No. 196 of 2022, F.I.R. dated 07.05.2022 registered for the offences punishable under Sections 302, 201, 34 of the Indian Penal Code.

3. Allegation against the petitioner is that he along with other co-accused persons have committed the murder of the informant's son.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. Initially, the petitioner was not named in the F.I.R. and the petitioner is the co-villager and he



has no concern at all with the present occurrence and after one year of the occurrence the petitioner has been implicated in the present case on the basis of the statement of co-villagers. He further submits that except the aforesaid, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence and on the basis of the statement of co-villager some other co-accused persons including the petitioner have been made accused in the present case and they have been granted the privilege of anticipatory bail by a Coordinate Bench of this Court vide order dated 10.01.2024 passed in Cr. Misc. No. 79934 of 2013.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional S.D.J.M., Bagaha, West Champaran in connection with Ramnagar P.S. Case No. 196 of 2022, subject to the conditions as laid down under Section 438(2) of the Code



of Criminal Procedure and with other following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Ibrar//-

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

