

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30499 of 2025

Arising Out of PS. Case No.-5 Year-2024 Thana- DARPA District- East Champaran

Jafar Ahmad @ Tinku Miya S/o- Abdul Gaffar Miya Village- Islampur P.S.
Raxual Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar II, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh,

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 16-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with Darpa P.S Case No. 05 of 2024 registered for the offences punishable under Sections 302, 201, 120(B) of the I.P.C.

3. As per the prosecution case, the allegation against the petitioner is that he along with other co-accused persons had killed the father of the informant.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. Though he is named, no specific allegation has been alleged against him. It is further submitted that co-accused Umesh Sah has been enlarged on bail vide order dated 13.05.2025 passed in Cr. Misc. No. 11066 of 2025 by a coordinate Bench of this Court. It is lastly



submitted that though the petitioner has antecedents of four criminal cases, he is on bail in three cases and one case is pending before the learned court below. Petitioner has been in judicial custody since 21.12.2024.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case and taking into account that no specific allegation has been alleged against him, petitioner has been in judicial custody since 21.12.2024 and similarly situated co-accused Umesh Sah has been enlarged on bail, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M, Motihari, East Champaran in connection with Darpa P.S Case No. 05 of 2024 with conditions:-

- a. One of the bailors of the petitioner shall be his close relative.
- b. The petitioner shall remain physically present in Court on each date of the trial.
- c. In case of absence on two consecutive dates, or in violation of the terms of the bail and if the



prosecution is found involvement of the petitioner in similar nature of offence, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

- d. 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.

(Sourendra Pandey, J)

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