

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51719 of 2024

Arising Out of PS. Case No.-182 Year-2023 Thana- PHULWARIYA District- Gopalganj

Parwej Ansari @ Parvej Ansari @ Parvej Alam S/o- Ali Asagar @ Asagar
Village- Kanthi Bathua, P.S.- Phulwariya, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

5 29-01-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with
Phulwariya P.S. Case No. 182/2023 registered for the offence
punishable under Sections 302 of the Indian Penal Code and
Section 27 of the Arms Act.

3. The following order was passed in Cr. Misc. No.
66675 of 2023 on 06.12.2023:-

*“Heard learned counsel for the
petitioner and Mr. Madhuri Lata, learned APP for
the State.*

*2. The petitioner seeks bail in
connection with Phulwaria (Sripur O.P.) P.S. Case
No. 182 of 2023 registered for the offence
punishable under Section 302 of the Indian Penal
Code and Section 27 of the Arms Act.*

3. As per the prosecution case, one



Naushad Alam was having an affair with the wife of the deceased and the petitioner arranged for a hired criminal for killing the deceased.

4. Considering the aforesaid, I am not inclined to grant bail to the petitioner.

5. Accordingly, the application stands dismissed.”

4. It has been submitted by Mr. Sanjay Kumar, learned counsel for the petitioner that the petitioner is in custody since 26.05.2023 and the charge has been framed in the trial on 24.01.2024 and from the report dated 08.08.2024, it appears that no witness has appeared to be deposed in this case. The petitioner claims to have clean antecedent.

5. Considering the period of custody and the fact that the trial of the petitioner is not proceeding as the prosecution is not co-operating in the trial, this application is allowed, subject to the conditions that:

(i). both the bailors shall be close blood relatives of the petitioner.

(ii). the petitioner will co-operate in the trial. He will appear personally or through his Advocate in the trial on the date fixed.

(iii) the petitioner is directed to mark his attendance in Phulwariya police station on every Sunday of the month. Failure to do so, will result in cancellation of bail bond of the petitioner.



6. Let the petitioner above named 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 Additional Sessions Judge-XVI, Gopalganj/concerned court in connection with Phulwariya P.S. Case No. 182/2023.

(Sandeep Kumar, J)

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