

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36782 of 2019

Arising Out of PS. Case No.-273 Year-2018 Thana- PHULWARISHARIF District- Patna

MD. NABI ALAM @ BHONDU @ SONU, Male, aged about 25 years, S/o
Fazal Hussain @ Md. Fazal Hussain, Resident of A1- Gayas Nagar,
Phulwarisharif, P.S.- Phulwarisharif, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sayed Imran Ghani, Advocate.
For the Opposite Party : Mr.Nawal Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-06-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
19.04.2018 in a case for the offence registered under Sections
302, 120(B)/34 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that the son of the
informant was running a Chicken Shop and he used to open the
shop in the morning and on 13.04.2018 as usual he came to the
house at about 8.30 P.M. Someone called on his Mobile and he
left his house taking his Mobile. It is also alleged that the next
day in the morning, his elder son went outside and he heard
hulla and came back and informed that some criminals have
committed murder of his brother.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.



Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. His name has come on the basis of confessional statement of co-accused. Except for this, there is no substantive evidence to suggest the implication of the petitioner in the present case. Other co-accused has been granted bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 5645 of 2019 order dated 22.04.2019.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, 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 the learned Additional Sessions Judge-VI, Patna, in connection with Phulwarisharif P.S. Case No. 273 of 2018.

It is further directed that the petitioner shall co-operate during trial.

U.K./-

(Sudhir Singh, J)

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