

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14211 of 2021

Arising Out of PS. Case No.-332 Year-2020 Thana- SIWAN MUFFASIL District- Siwan

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ATIULLAH SAH @ ATIMULLAH SHAH S/O LATE NASARUDDIN SAH
R/O VILLAGE RAMAPALI, P.S. SIWAN (MUFFASIL), DISTRICT SIWAN
841226

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 27-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 120B and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per allegations in the F.I.R., the brother of the informant was called by the accused persons including the petitioner herein and soon thereafter he was found to have been shot. It is stated that 4-5 days ago, accused Nitish Kumar Singh had threatened to kill him. Thus, the informant suspects the hand of the three accused persons including Nitish Kumar Singh and the petitioner herein.

It is submitted by learned counsel for the petitioner



that the allegations as levelled in the F.I.R. are false and incorrect. Except for an unsubstantiated suspicion raised by the informant in the F.I.R., there is no other material against this petitioner. Co-accused Nitish Kumar Singh has been enlarged on bail vide order dated 13.4.2021 passed in Cr. Misc. no.5703 of 2021. The petitioner is in custody since 21.7.2020 and has no criminal antecedent. Investigation in the case has concluded.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration grant of bail to co-accused Nitish Kumar Singh and the petitioner having remained in custody for over 1 year, the Court directs the petitioner to be enlarged on bail in connection with Siwan (Muffasil) no.332 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Siwan.

(Partha Sarthy, J)

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