

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22209 of 2021

Arising Out of PS. Case No.-141 Year-2020 Thana- MESKAUR District- Nawada

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1. BUGAL KHAN @ IMTIYAZ KHAN Son of Nezam Khan Resident of Village- Satanbigaha, P.S.- Meskaur (Sirdala), District- Nawada.
 2. Pintu Yadav Son of Amirak Yadav Resident of Village- Satanbigaha, P.S.- Meskaur (Sirdala), District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Nayan, Adv.
For the Opposite Party/s : Mr. Jaimul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 17-11-2021

Heard learned counsel for the parties.

The petitioners have 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 the prosecution case, it is stated that petitioner no.1 and Sheru Khan called the husband of the informant and told him that four other named accused persons including the petitioner no.2 were calling him. Thereafter her husband did not return and the informant learnt that some one had shot him.

It is submitted by learned counsel for the petitioners that the allegations as levelled in the F.I.R. are false



and concocted. The petitioners have been falsely implicated in the case. Admittedly, there are no eye witness to the occurrence. So far as the petitioner no.1 is concerned, at best the allegation against him is one of last seen and his case stands on a similar footing to that of coaccused Sheru Khan who has been enlarged on bail vide order dated 6.11.2020 (Annexure-2) passed in Cr.Misc. no.25718 of 2020. It is submitted that so far as the petitioner no.2 is concerned, there is absolutely no material against him. The petitioners have no criminal antecedent and is in custody since 15.12.2020.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case together with the petitioners having remained in custody over 11 months and chargesheet having been submitted in the case, the Court directs the petitioners to be enlarged on bail in connection with Sirdala (Meskaur) P.S. Case no. 141 of 2020 on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate I, Nawada.

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(Partha Sarthy, J)

