

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29297 of 2021

Arising Out of PS. Case No.-27 Year-2020 Thana- PANCHRUKHI District- Siwan

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SHER ALI @ SHERE ALI Son of Imam Ali Resident of Village - Mahuwari,
P.S.- Siwan Muffasil, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Satyadeo Singh Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 16-12-2021 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 201 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, it is stated by the informant that her daughter who had gone to bring vegetable from the market did not return. The next morning she saw the news of the dead body of a lady having been found. On approaching the police personnel, she was shown a photograph by the police which happened to be that of her daughter. It is further stated that on earlier occasion her daughter had been kidnapped by one Hasmat Ali and the case lodged ended in a compromise. The petitioner herein as also one Chand Ali are in regular touch with the aforesaid Hasmat Ali and they are on



visiting terms. The informant states that she is convinced that the accused persons including the petitioner herein have a hand in the murder of her daughter.

It is submitted by learned Senior Counsel for the petitioner that the petitioner has been falsely implicated in the case. From perusal of the F.I.R. itself it would transpire that an unfounded suspicion has been raised against the petitioner. No material has transpired in course of investigation to connect the petitioner with the alleged crime. The petitioner is in custody since 7.11.2020 and chargesheet has been submitted in the case.

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

Having heard learned counsel for the parties and taking into consideration the facts of the case, the material that has transpired in course of investigation and the petitioner having remained in custody for more than 1 year, the Court directs the petitioner to be enlarged on bail in connection with Pachrukhi P.S. Case no. 27 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten of Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. VI, Siwan.

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(Partha Sarthy, J)

