

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23822 of 2020

Arising Out of PS. Case No.-277 Year-2019 Thana- JOGBANI District- Araria

MD. SHAMSHUL S/o Late Md. Aamir Resident of Village-Khajoorbari
(Jogbani), Ward No.7, P.S.-Jogbani, District-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar, Advocate

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

8 28-10-2021 Heard learned counsel for the petitioner and the State.

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.

As per the prosecution case, informant's son went with the three accused persons including the petitioner herein on 17.9.2019. On 18.9.2019 she had a talk with her son on telephone, however he did not return and on 21.9.2019 his dead body was recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. There is no eye witness of the occurrence and at best it is a case of last seen. No other substantive evidence has been collected during course of investigation to suggest the



implication of this petitioner in the present case. He is in custody since 22.9.2019. Charge sheet has already been submitted. Similarly situated co-accused has already been allowed bail by a co-ordinate bench of this Court vide order dated 5.10.2021, passed in Cr.Misc.No. 11000/2020.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria in Jogbani Bathnaha Police Station Case No. 277 of 2019.

(Prabhat Kumar Singh, J)

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