

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2800 of 2022

Arising Out of PS. Case No.-99 Year-2021 Thana- ANGARH District- Purnia

Md. Alam @ Sarkar Alam Son of Late Md. Yunus Alam @ Md. Unus
Resident of Village - Pargachhi, P.S. Angarh, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh

For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-03-2022 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in a case registered for the offence under Sections 302, 201/34 of the Indian Penal Code.

As per the prosecution case, on 30.08.2021 at about 10:00 AM, when the father of informant went to demand his dues from co-accused Mahbool Hussain and Tahmid Alam @ Lal Babu, then they started abusing and some scuffle took place between them, which was pacified by the villagers. It is further alleged that on the same night at about 10:30 PM, father of the informant was taken away by co-accused Liyakat Ali from his house and thereafter, father of the informant did not return home and on 01.09.2021, the dead-body of father of informant was found lying in a paddy field. The informant suspects that all the F.I.R. named accused have killed his father.



It is submitted on behalf of petitioner that informant is not eye-witness to the occurrence and only on suspicion, the petitioner has been made accused. From perusal of F.I.R., it is apparent that scuffle of father of informant took place between co-accused Mahbool Hussain and Tahmid Alam and co-accused Liyakat Ali, who took the deceased from his home, was last seen with the deceased. So far as this petitioner is concerned, there is no whisper against him in the F.I.R. and he is in custody since 17.09.2021. Investigation is complete.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Purnea in connection with Angarh P.S. Case No. 22 of 2021.

(Prabhat Kumar Singh, J)

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