

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35832 of 2021

Arising Out of PS. Case No.-327 Year-2020 Thana- BELDOUR District- Khagaria

MD. IRFAN Son of Md. Habib Resident of Village - Chodhali, P.S.- Beldaur,
District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bishweshwar Ram

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 23-03-2022 Heard Mr. Bishweshwar Ram, learned counsel for the

petitioner and Mr. Nawal Kishore Prasad Singh, learned counsel

for the State.

Petitioner seeks regular bail in connection with
Beldaur PS Case No. 327 of 2020, G.R. No. 3516 of 2020
registered under Sections 302, 120 (B), 34 of the IPC and
Section 27 of the Arms Act.

Allegation in nutshell is that petitioner called the
deceased for a *Panchayati* relating to a land dispute where the
petitioner along with other accused persons in conspiracy with
each other shot the brother of the informant dead.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case due to land
dispute and village politics. He has not committed any



offence in the manner alleged. He further submits that from perusal of the FIR it would be evident that there is no specific allegation of assault against the petitioner, however, during course of investigation the informant in his re-statement has stated specifically that co-accused / Md. Ibo and Md. Asfaq fired upon his brother. He next submits that other witnesses including the eye witnesses whose statements were recorded in paragraphs 11, 12, 32, 33 & 34 have stated that the co-accused Md. Ibo and Md. Asfaq fired upon the deceased. Petitioner has got no criminal antecedent. He is in custody since 27-11-2020.

Regard being had to the submissions made by the parties, taking into consideration the material on record and the fact that during the course of investigation it has come that specific allegation of firing is upon the co-accused persons, petitioner is having no criminal antecedent, he is in custody since 27 / 11 / 2020 and charge sheet has already been submitted, as such, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of Mrs. Pallawi Anand, Judicial Magistrate- 1st



Class, Khagaria in connection with Beldaur PS Case No. 327 of
2020, G.R. No. 3516 / 2020.

(Anil Kumar Sinha, J)

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