

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36777 of 2021

Arising Out of PS. Case No.-83 Year-2008 Thana- MUNGER MUFFASIL District- Munger

1. AZAD PATEL @ AZAD KUMAR PATEL S/o Late Ugo Patel R/o Village- Ashram Tola, P.S.- Gogri, District- Khagariya
2. Doman Patel @ Domi Patel S/o- Wakil Patel R/o Village- Ashram Tola, P.S.- Gogri, District- Khagariya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Majid Mahboob Khan

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 13-04-2022 Heard learned counsel for the petitioners and learned APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Mufassil P.S. Case no. 83 of 2008 instituted for the offence punishable under Sections 302, 34 of the Indian Penal Code and Section 27 of the Arms Act.

It is a case of commission of murder by giving gun shot injury to the deceased by the accused persons.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He is not named in the FIR. During course of investigation due to previous enmity, witnesses have dragged his name, who are not



the eye witnesses of the alleged occurrence. There is no direct evidence against the petitioner. General and omnibus allegations have been attributed against the petitioner.

Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that earlier deceased Raja Ram Patel was involved in murder case of father of the petitioner so that there is strong suspicion against him that with a view to take revenge, he has committed the alleged murder.

Having heard learned counsel for the parties and considering the fact that there is no direct evidence against the petitioner, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Mufassil P.S. Case no. 83 of 2008, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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