

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47804 of 2022

Arising Out of PS. Case No.-250 Year-2021 Thana- NAANPUR District- Sitamarhi

Md. Jamjam @ Md. Zamzam S/O Md. Imtiyaz R/O Village- Dhankaul, P.S.-
Nanpur, District- Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shams Akhtar

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-12-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in a case registered for the offence punishable under Sections 302, 201 and 34 of Indian Penal Code.

As per prosecution case, all the FIR named accused persons including this petitioner killed the son of the informant who are family members of one Sofia with whom Md. Arman had love affair.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. As a matter of fact, it is a case of accident which is duly supported by the statement of Md. Arman recorded under Section 164 of Cr.P.C. who was present with the deceased. Wherein, he has categorically stated that the deceased



died due to road accident in which Md. Arman had also sustained injury and was hospitalized. FIR has been lodged after delay of 11 days without any satisfactory explanation. Similarly situated co-accused persons have already been granted bail by this Court vide order dated 10.11.2022 passed in Cr. Misc. No. 25827 of 2022. Petitioner has got clean antecedent.

Considering the aforesaid facts and circumstances, let the above named petitioner in the event of his arrest/surrender before the court below within a period of thirty days from the date of receipt/production of copy of this order, 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 Sub Divisional Judicial Magistrate, Sitamarhi in Nanpur P. S. Case No. 250 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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