

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2120 of 2023

Arising Out of PS. Case No.-72 Year-2015 Thana- KHAGARIA District- Khagaria

MD. SAHABUDDIN S/o Late Md. Aslam R/v- Jalkaura, P.S.- Khagaria
(Gangaur), District- Khagaria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh
For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 201, 34, 120B of the Indian Penal Code.

As per prosecution case, informant alleged that her husband has been killed by the petitioner along with co-accused persons.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case only on the basis of hearsay statement. Petitioner is a handicapped person who lives in other state for his livelihood and when he knew about this case he himself surrendered before the learned Court below. It is further



submitted that FIR lodged after more than two months delay without giving any explanation. There was no eye witness present and the post-mortem report of the deceased has also not been conducted. He has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 28.06.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Khagaria (Gangaur) P.S. Case No. 72 of 2015 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria.

(Sunil Kumar Panwar, J)

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