

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7868 of 2023

Arising Out of PS. Case No.-425 Year-2021 Thana- MAJHAULIA District- West Champaran

Nasim Alam @ Nasim Ansari @ Nasim Miya S/O Late Alijan Ansari R/O
Village- Jaukatiya Madarsa Naya Tola Ward No. 05, P.S.- Majhaulia, Distt-
West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-05-2023 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 302/34 of
the Indian Penal Code.

The allegation against the petitioner along with co-
accused person is that they committed murder of son of the
informant due to previous enmity.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case merely on the basis of
suspicion. The informant is not an eye witness of the alleged
occurrence. It is submitted that postmortem report is evident



of the fact that death was caused due to accident as the same is asphyxia due to drowning. Similarly situated co-accused has already been granted bail by a coordinate Bench of this court vide order dated 17.10.2022 passed in Cr. Misc No. 7558 of 2022. It is further submitted that the petitioner has got no criminal antecedent moreover, he is languishing in judicial custody since 06.08.2021.

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 Majhulia P.S. Case No. 425 of 2021 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, Bettiah, District West Champaran.

(Sunil Kumar Panwar, J)

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