

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13946 of 2023

Arising Out of PS. Case No.-367 Year-2022 Thana- MOHANIYA District- Kaimur (Bhabua)

Afzal Khalifa, aged about 28 years, Gender-Male, Son of Mustafa Khalifa @ Mustapha Khalipfa, Resident of village - Ruiya, P.S.- Bhabua, District - Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parwej Khan, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 10-05-2023 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in connection with S. Tr. No. 384 of 2022 arising out of Mohania P.S. Case No. 367 of 2022 dated 08.07.2022 registered for the offence punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioner is that he was involved in the conspiracy for murder of husband of informant with one co-accused Laxman Tiwary with whom the deceased has some land dispute.

Learned counsel for the petitioner submits that there is no eye witness or circumstantial evidence to connect the



petitioner, who is the cousin brother of the deceased with the crime. No motive of petitioner has been assigned in the alleged occurrence. Petitioner is in custody since 12.07.2022 having no other criminal antecedent except one case under Excise Act. Charge-sheet has already been submitted and there is no chance of absconding the petitioner or to tamper with the evidence.

Learned APP appearing for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case and submission of learned counsel for the parties, let the petitioner above named, be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge 1st, Kaimur at Bhabua in connection with S. T. No. 384 of 2022 arising out of Mohania P.S. Case No. 367 of 2022.

(Sunil Dutta Mishra, J)

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