

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18391 of 2023**

Arising Out of PS. Case No.-167 Year-2021 Thana- UDAKISHUNGANJ District-  
Madhepura

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Md. Mukhtar Sah @ Mukhtar Miya @ Md. Mukhtar @ Mukhtar Sah Son Of  
Late Mohammad Miya @ Late Md. Mian R/O Village- Karuti Bajar Nahar  
Tola, Ward No.14, P.S.- Udakishunganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr.Manoj Kumar

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      12-05-2023                      Heard learned counsel for the petitioner and  
  
learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a  
  
case registered for the offences punishable under  
  
Sections 147, 148, 120(B), 363, 302 of the Indian  
  
Penal Code.

The prosecution case as per F.I.R is that while  
  
the informant's son went out to attend call of nature,  
  
eight accused persons including the petitioner kidnapped  
  
the son of the informant and killed him and fled away,  
  
leaving the dead body in maize field.



It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. The informant is not the eye witness to the occurrence. There is no consistent material evidence against the petitioner and only on the basis of suspicion, the petitioner has been roped in the present case. The petitioner is languishing in custody since 12.12.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Moreover, other similarly situated co-accused has been granted bail by a coordinate Bench of this Court vide order dated 25.07.2022 passed in Cr. Misc. No. 17135 of 2022.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional Chief



Judicial Magistrate, 1<sup>st</sup>, Udakishunganj, Madhepura in  
connection with Udakishunganj P.S. Case No. 167 of  
2021.

**(Sunil Kumar Panwar, J)**

Shageer/-

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