

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19250 of 2023

Arising Out of PS. Case No.-75 Year-2022 Thana- BHAGWAN BAZAR District- Saran

Meraj Ahmad Son Of Late Serajuddin Resident Of Mohalla - Nai Bazar, P.S. -
Bhagwan Bazar, Distt. - Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Section 302, 120(B) and 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per allegation in the FIR, co-accused Meraj Ahmad called the informant's son on telephone to take his Rs.50,000/- and thereafter her son went for taking money but he did not return till late night and in the morning the informant was informed on phone that her son has been killed by gun shot and his dead body is lying in the boundary of one Mahmood Alam. Thereafter the informant along with her husband went there and saw the dead body of the deceased.



It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case only on the basis of suspicion. The petitioner is named in the F.I.R. but during investigation the informant in her re-statement has also disclosed the name of Md. Ajad and Md. Musarraaf in respect of committing the said occurrence. There is no eye witness of the alleged occurrence. Except suspicion, no consistent evidence has come during investigation to show the involvement of the petitioner in the alleged occurrence. Other co-accused namely Md. Ajad and Md. Musarraaf have already been granted bail by a co-ordinate Bench of this Court vide order dated 21.06.2023 and 23.06.2023 passed in Cr. Misc. No. 5849 of 2023 and Cr. Misc. No. 7696 of 2023 respectively. It is also submitted that petitioner is languishing in judicial custody since 28.07.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the



petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Bhagwan Bazar P.S. Case No.75 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Saran.

(Sunil Kumar Panwar, J)

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