

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22921 of 2023

Arising Out of PS. Case No.-22 Year-2021 Thana- ANGARH District- Purnia

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Tahmid Alam @ Lal Babu Son of Naheed Alam @ Nahid Alam @ Md. Nahid
Resident of Village - Chandbar Kolha, P.S.- Angarh, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 24-08-2023 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 Sections 302, 201/34 of the Indian Penal Code.

As per allegation in the FIR, on 30.08.2021 at about 10.00 AM, when the father of informant went to demand his dues from the petitioner and co-accused Mahbool Hussain, then they started abusing and some scuffle took place between them, which was pacified by the villagers. It is further alleged that on the same night at about 10.30 PM, father of the informant was taken away by co-accused Liyakat Ali from his house and thereafter, father of the informant did not return home and on



01.09.2021, the dead body of father of the informant was found lying in a paddy field. The informant suspects that all the F.I.R. named accused have killed his father.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and committed no offence. The informant is not eye-witness to the alleged occurrence and only on suspicion the petitioner has falsely been implicated in the present case. During investigation, no consistent material has come against the petitioner to show his involvement in the present case. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 16.06.2022 passed in Cr. Misc. No.7312 of 2022. It is further submitted that the petitioner voluntarily surrendered on 19.09.2022 and since then, he is languishing in judicial custody.

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 Angarh P.S. Case No. 22 of 2021 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 Chief Judicial Magistrate, Purnea.

(Sunil Kumar Panwar, J)

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