

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26578 of 2023

Arising Out of PS. Case No.-29 Year-2022 Thana- BELA District- Sitamarhi

MD. GOGAL SHAH @ GOGAL SHAH S/O ISSAC SHAH R/O Village-
Naranga, P.S- Bela, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Bihari Tiwary

For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 23-05-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in a case instituted
for the offence under Sections 302, 201 and 34 of the Indian
Penal Code.

It is a case of commission of murder to the
informant's son, namely, Jiyawal Ansari by the accused persons
and with a view to wipe off the evidence, his dead body was
thrown in a pit.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. No one is
the eye witness of the alleged occurrence. Only on the basis of
suspicion, the name of the petitioner has been dragged in the
present case. During investigation, no consistent material has



come against the petitioner to show his involvement in the present case. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 4.2.2023 passed in Cr. Misc. No. 49308 of 2022. Petitioner has got no criminal antecedent and he is languishing in judicial custody since 8.3.2022.

The application for bail is opposed by learned APP for the State and learned counsel for the informant and submitted that petitioner is named in the FIR.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned CJM, Sitamarhi in connection with Bela P.S. Case No. 29 of 2022.

(Sunil Kumar Panwar, J)

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