

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27681 of 2023

Arising Out of PS. Case No.-769 Year-2022 Thana- HISUWA District- Nawada

MD. SAZZAD @ MD. SAZID son of Md. Mustafa @ Mustafa Mian Village-
Makbara Chowk Hisua Ps-Hisua Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Advocate Mr. Manoj Kumar Pandey, Advocate Ms. Kumari Pallavi, Advocated Mr. Subhash Ranjan, Advocate
For the informant/s	:	Mr. Vibhuti Ranjan Sonvadra, Advocate
For the Opposite Party/s	:	Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 03-08-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

2. The petitioner seeks bail in connection with Hisua
P.S. Case No. 769 of 2022 registered for the offence under
Sections 302/34 of the Indian Penal Code.

3. The accused/petitioner is named in the F.I.R. and is
in custody since 28.12.2022.

4. The allegation against the petitioner is to commit
murder of son of informant alongwith co-accused
persons/family members, where occurrence arises out of
previous enmities/love affairs.

5. Learned Senior counsel, Mr. N.K. Agarwal



appearing on behalf of the petitioner submitted that informant is not the eye witness of the occurrence and mere on the basis of suspicion, as the nephew of this petitioner was in love affairs with the daughter of the informant, was implicated falsely with the present case, whereas it appears that the murder of son of informant caused by some unknown miscreants which committed murder near to a *railway gumti/ station*. It is further pointed out that reason for further suspicion is also the Call Details Reports where nephew of this petitioner found in conversation with deceased/son of the informant. It is pointed out that save and except above suspicions i.e., love affairs and Call Details Reports nothing incriminating appears during the course of investigation against this petitioner as to commit murder of son of informant. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP duly assisted by learned counsel, Mr. Vibhuti Ranjan Sonvadra appearing on behalf of the informant while opposing the prayer of bail submitted that petitioner being parent of girl with whom deceased/son of informant was in love



affairs actively participated in occurrence alongwith other co-accused persons.

7. Considering the facts and circumstances as mentioned above and by taking note of the fact as save and except suspicion out of love affairs and Call Details Reports, nothing incriminating appears against this petitioner as to suggest his involvement in present occurrence of murder coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 28.12.2022, accordingly, above named petitioner is directed to be released on bail in connection with HIsua P.S. Case No. 769 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Maigstrate-VI, Nawada/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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