

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32257 of 2023

Arising Out of PS. Case No.-19 Year-2023 Thana- JAMUI District- Jamui

MD. ABDULLAH IMAM @ ABDULLAH S/O MD. IFTEKHAR IMAM
R/O Village- Azad Nagar, P.S- Jamui, Distt.- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uma Shankar Sharma, Advocate
For the Opposite Party/s : Mr. Arun Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 21-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Jamui
P.S. Case No. 19 of 2023 dated 08.01.2023, instituted for the
offence punishable under Sections 302, 120(B) of the Indian
Penal Code and 27 of the Arms Act.

3. The prosecution case, in short, is that on
08.01.2023 at 17.30 hrs. informant gave Rs. 50,000/- to his
brother(deceased) Md. Shadab Alam @ Shudu to keep the
money in the house. At that time, petitioner along with three
persons namely, Md. Sanjar, Md. Aamir and Md. Aamir @
Goru, who are the friends of his brother, came to his house.
Thereafter his brother without keeping the aforesaid money in
house went outside along with the aforesaid friends. Thereafter



at 19.00 hrs, the informant was informed through a phone call that his brother has been shot down in front of the house of Dishu Mukhiya.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that allegation against the petitioner is that he went to the house of the deceased along with other co-accused persons. The petitioner has been implicated in this case only on the basis of suspicion and conjectures. Learned counsel for the petitioner submits that the informant is not eye-witness to the occurrence. Learned counsel for the petitioner further submits that during investigation police recorded the statement of one Md. Sanjar and he confessed that he fired 4-5 bullets in back of deceased. No incriminating article has been recovered from the possession of the petitioner. Lastly, it has been submitted that the petitioner is in custody since 31.01.2023 having no criminal antecedents. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of



Rs. 10,000/- (ten thousand) with two sureties of the like amount
each to the satisfaction of the learned Chief Judicial Magistrate,
Jamui, in Jamui P.S. Case No. 19 of 2023.

(Khatim Reza, J)

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