

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35400 of 2023

Arising Out of PS. Case No.-488 Year-2022 Thana- ARA NAGAR District- Bhojpur

MD TIBLA @ DIBLA @ BRUSALI @ SALIM HASHMI SON OF MD.
SOHRAB MIAN RESIDENT OF VILLAGE - BHALUHIRPUR, PS- ARA
TOWN, DISTT- BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Gopal Krishna
For the Opposite Party/s	:	Mr.Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-08-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Ara Nagar P.S. Case No. 488 of 2022 registered under sections 302, 120(b) and 34 of the Indian Penal Code and Section 27 of the Arms Act.

Prosecution case relates to commission of murder of the informant's husband by two unknown miscreants, when the informant's husband was at his electronic shop. Further, the motive behind the murder of her husband was to grab his ancestral properties.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner is not named in F.I.R., rather his name came into light in this case on the basis of confessional statement of other co-accused person before the police. Except confession of other co-accused, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is further submitted that he has no concern either with this offence or with the other co-accused persons. Similarly situated other co-accused person has already been granted bail by the different co-ordinate Bench of this Court vide order dated 21.12.2022. in Cr. Misc. No. 47512 of 2022. The petitioner is languishing in judicial custody since 19.01.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection



with Ara Nagar P.S. Case No. 488 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 C.J.M., Bhojpur at Ara.

(Sunil Kumar Panwar, J)

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