

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32796 of 2022

Arising Out of PS. Case No.-84 Year-2021 Thana- SABAUR District- Bhagalpur

MD. IMROJ S/O MD. FIROJ R/o Mohalla- Muslim Tola, P.S.- Sabour,
District- Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 12-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Sabour P.S. Case No. 84 of 2021 for the offence registered under Sections 302 and 120B of the Indian Penal Code and Section 27 of the Arms Act.

The allegation is regarding the named accused persons (petitioner not named in the F.I.R.), having arrived at the alleged place of occurrence on the alleged date and time, whereafter they had fired gun-shots on the husband of the informant, resulting in his death.



The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, is having a clean antecedent and he is languishing in custody since 13.12.2021. The learned counsel for the petitioner has further submitted that admittedly the petitioner has not been named by the informant to be one of the assailant as is also apparent from the F.I.R., however, subsequently his name has been roped in the present case on account of pre-existing land dispute in between the informant/her husband and the petitioner, who is the nephew of the informant, hence it is submitted that the petitioner be granted the privilege of bail.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also those contained in the case diary, this Court finds that there is minuscule



evidence on record to suggest the complicity of the petitioner in the alleged crime, apart from the fact that the informant has not named the petitioner to be one of the assailant of the husband of the informant, hence I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Sabour P.S. Case No. 84 of 2021.

(Mohit Kumar Shah, J)

S.Sb/Saurav

U		T	
---	--	---	--

