

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43544 of 2023

Arising Out of PS. Case No.-879 Year-2021 Thana- SAHARSA SADAR District- Saharsa

MD. SOHEL S/O MD. AWESH @ AVESH ALAM R/O Village- Jhitkiya,
Ward No. 06, PS. Singeshwar, Dist. Madhepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh, Adv.

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 302, 109, 34 of the Indian Penal Code.

3. Allegedly, all the accused persons including this petitioner are said to have committed murder of the informant's husband due to land dispute.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. There is specific allegation against co-



accused Md. Nadim @ Guddu that he gave knife blow to the informant's husband due to which he died. It is further submitted that during the investigation, the police has filed final form against the petitioner, but the learned Court below differing from the final form, took cognizance against the petitioner. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as the final form has been filed by the police against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Saharsa (Sadar) P.S. Case No. 879 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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