

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41924 of 2023

Arising Out of PS. Case No.-490 Year-2022 Thana- EKMA District- Saran

1. Abdulahi Miya Son Of Maharaja Miya Resident Of Village - Kanhauli, Manohar Tola, Kartaram, Police Station - Baniyapur, District - Saran
2. Rahmudin Miya Son Of Salmudin Miya Resident Of Village - Kanhauli, Manohar Tola, Kartaram, Police Station - Baniyapur, District - Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioners and

learned A.P.P appearing on behalf of the State.

The petitioners are languishing in custody in a case registered for the offences punishable under Sections 302, 120B, 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, the petitioners and co-accused persons are alleged to have committed the murder of Tabrej Alam under conspiracy.



It is submitted by learned counsel for the petitioners that petitioners are innocent and they have falsely been implicated in this case. The F.I.R has been registered after two days of the occurrence without explaining the delay. The petitioners have no concern with co-accused Asraf Ali. The petitioners are languishing in custody since 19.12.2022. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent. Moreover, other co-accused has been granted privilege of bail by a coordinate Bench of this Court vide order dated 20.07.2023 passed in Cr. Misc. No. 42905 of 2023.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) each with two sureties of the like



amount each to the satisfaction of learned Additional
Chief Judicial Magistrate, 1st, Saran in connection with
Ekma P.S. Case No. 490 of 2022.

(Sunil Kumar Panwar, J)

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