

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42905 of 2023

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

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SUBHAM MIYA @ MOGAL, son of Abdullahi Miya Village- Kanhauli
Manohar Tola Kartaram Ps- Baniyapur Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shankar Kumar, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 20-07-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned
A.P.P for the State.

3. The petitioner has preferred this application for
grant of regular bail in connection with Ekma P.S. Case No. 490
of 2022 dated 17.12.2022 registered for the offences punishable
u/ss 302 and 120B read with Section 34 of the Indian Penal
Code and u/s 27 of the Arms Act.

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

5. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the specific allegation is against the co-accused Ashif Ali who killed the deceased. There is general and omnibus allegation against the petitioner. Nothing has been recovered from the possession of the petitioner. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 19.12.2022.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Saran in connection with Ekma P.S. Case No. 490 of 2022.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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