

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 42867 of 2023**

Arising Out of PS. Case No.-28 Year-2023 Thana- BALIA BELON District- Katihar

MD NADIR @ MD NADIR ALAM Son of Mahfuz @ Mahfuz Alam @ Md.
Mahfuz Alam @ Md. Mahfuzur Rahman Resident of Village - Sihrol, P.S.-
Balua Belone, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr Sharda Nand Mishra, Advocate
For the Informant	:	Mr Bimal Kumar, Advocate
For the State	:	Mr.Shailendra Kumar

CORAM: HONOURABLE MR JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and the
learned APP.

The petitioner has preferred this application for grant
of regular bail in connection with Baliya Belon PS Case No 28
of 2023 dated 25.02.2023 registered for the offence punishable
under Sections 307, 302, 120B/34 of the IPC and Section 27 of
the Arms Act.

As per the prosecution case, the petitioner and the co-
accused persons are alleged to have fired on the informant's
brother who died on the spot.

Learned counsel for the petitioner has submitted that
the petitioner is innocent and has falsely been implicated in this



case. There is general and omnibus allegation against the petitioner. The petitioner bears clean antecedent, as stated in paragraph 3 of the bail petition. The petitioner is in custody in this case since 27.02.2023.

Learned APP has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, the period of custody as well as the nature of allegation against the petitioner, the petitioner above named is directed to be released on bail on his furnishing bonds of Rs 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 01st Class, Katihar in Baliya Belon PS Case No 28 of 2023 dated 25.02.2023.

This application stands allowed.

(Chandra Prakash Singh, J)

M.E.H./-

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