

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43877 of 2023

Arising Out of PS. Case No.-48 Year-2023 Thana- BELA District- Sitamarhi

Tamanne, Aged About 44 Years, Male, Son Of Late Md. Safik Resident Of
Village- Chandi Rajwara, Police Station- Bela, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH

ORAL ORDER

2 24-07-2023 1. Heard learned counsel for the petitioner and the

learned APP for the State.

2. Petitioner seeks regular bail in connection with
Bela P.S. Case No. 48 of 2023 dated 21.02.2023 registered for
the offence(s) punishable under Section(s) 302, 201, 120B/34 of
the Indian Penal Code.

3. The main submissions advanced by the learned
counsel for the petitioner are that admittedly between the
petitioner and informant, there is a land dispute owing to
which petitioner has been falsely implicated in this case, after
the investigation the police did not find the allegation made
against the petitioner to be true, hence final form was submitted
by the police but the Magistrate concerned took cognizance
against the petitioner on the protest petition and in this regard a
supplementary affidavit has been filed and informant is



admittedly not the eye-witness of the murder and he mainly raised suspicion against the petitioner and others and he did not reveal any specific role of the petitioner in the alleged crime.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Having regard to the facts and circumstances of the case and considering the above submissions and mainly the facts that after the completion of investigation, the petitioner was not sent up by the police and the court concerned took cognizance against the petitioner on protest petition and informant is not the eye-witness of the alleged occurrence of murder and admittedly a land dispute was running in between the petitioner and the informant at the time of the commission of alleged occurrence, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail in connection with Bela P.S. Case No. 48 of 2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

Sanjay/-

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