

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

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate
For the Opposite Party/s : Mr. Binod Kumar No.3, APP
For the informant : Mr. Bimal Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 25-07-2023

1. Heard learned counsel for the petitioner, the PP for the State as well as learned counsel for the

2. Petitioner seeks regular bail in connection with Balia Belon P.S. Case No. 28 of 2023 dated 25.02.2023 registered for the offence(s) punishable under Section(s) 302, 307, 120 B/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The main submissions advanced by the learned counsel for the petitioner are that the petitioner is not named in the FIR, there was tension in between deceased/Tanveer Rahi, husband of the Mukhiya and former Mukhiya due to *Kurum Ghat* land and petitioner had no concern to that dispute and on



account of that dispute Md. Nadir and Abdul Rauf had threatened the deceased and admittedly the petitioner's name does not find place in the FIR as being an assailant, he has fair and clean antecedent and has been languishing in jail since 31.03.2023 and against him, the investigation has been completed.

4. Learned counsel appearing for the Informant as well as learned APP appearing for the State has vehemently opposed the bail prayer and submitted that against this petitioner there is a serious allegation and in the alleged occurrence one person died and some sustained firearm injuries.

5. Having regard to the facts and circumstances of the case and considering the above submissions and mainly the facts that the petitioner is not named in the FIR and as per petitioner's counsel, the petitioner is known to the informant but even then the petitioner's name does not find place in the FIR which shows that he was not the assailant and this petitioner had no concern to the dispute of land in between the deceased and former Mukhiya and against the petitioner, the investigation has been completed, 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 Balia Belon P.S.
Case No. 28 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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