

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50809 of 2023

Arising Out of PS. Case No.-30 Year-2022 Thana- BARARI District- Katihar

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Niyamat Alam @ Niyamat Alim Son Of Md. Majhar Ali @ Majhar Ali
Resident Of Village-Naya Tola Jirapati, P.S.-Barari, District-Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and

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

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 302, 201, 120(B)/34 of the Indian Penal Code.

The prosecution case in nutshell is that

informant's husband went after getting a call on his

mobile by the petitioner but did not return. The

informant after sometimes started searching her

husband and during course of search, she found the



dead body of her husband. When she enquired from the petitioner, he told that due to previous enmity, co-accused Md. Yasin had killed her husband.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. Neither the petitioner was apprehended from the spot nor there is any eye witness to the occurrence. During investigation, no cogent material evidence has been collected against the petitioner to connect the petitioner with the present offence. The petitioner is languishing in custody since 29.01.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Moreover, co-accused Md. Yasin @ Md. Yasin Akhtar has been granted bail vide order dated 16.05.2023 passed in Cr. Misc. No. 12556 of 2023.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/-



(Ten Thousands) with two sureties of the like amount
each to the satisfaction of learned Additional District
Judge-IV, Katihar in connection with Barari P.S. Case
No. 30 of 2022.

(Sunil Kumar Panwar, J)

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