

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50517 of 2022

Arising Out of PS. Case No.-113 Year-2021 Thana- BELA District- Sitamarhi

Shabdul Nadaf Son Of Late Nisharul Nadaf R/O Village - Betaha, P.S. - Bela,
Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Bela P.S. Case No. 113 of 2021 registered under Sections 395 and 397 of the Indian Penal Code and Section 3 of the Explosive Substance Act.

Prosecution case in short is that while the petitioner along with other co-accused were passing through the courtyard of the informant, on protest they assaulted the father-in-law of the informant by bricks. It is also alleged that miscreants made firing and hurled bomb and fled away.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. It is further submitted that petitioner is neither named in FIR nor anything



incriminating has been recovered from his conscious possession. He has not been put on T.I.P. and the name of the petitioner came into light in this case on the basis of his self confession being made in Bela P.S. Case No. 179 of 2021, before the police, which has got no evidentiary value in the eye of law. Similarly situated several co-accused have already been granted bail by this co-ordinate bench of this Court vide order dated 19.01.2023. in Cr. Misc. No. 49141 of 2022. Petitioner is languishing in judicial custody since 23.09.2021.

The application for bail is vehemently opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Bela P.S. Case No. 113 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Sitamarhi.

(Sunil Kumar Panwar, J)

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