

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55337 of 2023

Arising Out of PS. Case No.-130 Year-2016 Thana- HATHAURI District- Muzaffarpur

MD. MOZIM ANSARI @ MOHOMAND MUJIM@ MD. MOJIM SON OF
LATE MD. AZIZ MIYA RESIDENT OF VILLAGE- NARKATIYA, PS-
HATHAURI, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bela Singh

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 376G, 302/34 of the Indian Penal Code.

3. As per prosecution case, the petitioner is alleged to have murdered the daughter of the informant after committing rape. It is alleged that the occurrence took place in the background of previous dispute.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The informant raised only suspicion against the petitioner as he threatened the deceased earlier to the occurrence and due to this



reason, the petitioner has falsely been implicated in this case. No one is eye witness of the alleged occurrence. No any consistent material has come against the petitioner except suspicion. It is further submitted that the medical report has not supported the allegation of rape. The petitioner has got no criminal antecedent as stated in para -3 of the bail petition. It is further submitted that the petitioner is languishing in judicial custody since 10.6.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Hathauri P.S. Case No. 130 of 2016 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 10th Judicial Magistrate, 1st Class, (East) Muzaffarpur.

(Sunil Kumar Panwar, J)

Amandeep/-

U		T	
---	--	---	--

