

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62234 of 2023

Arising Out of PS. Case No.-325 Year-2022 Thana- AMAUR District- Purnia

Md. Sabbir Alam Son Of Late Gulam Rasul Resident Of Village - Amgachhi,
Kasba, Police Station - Amour, District - Purnea

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-10-2023 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 302, 201, 120(B) of the Indian Penal Code.

3. According to the prosecution story, it is alleged that the petitioner is indulged in hatching conspiracy to kill the informant's son in connivance with other accused persons. The informant was seen lastly with the accused persons thereafter, his dead body was found in the field of Abdul Wahab.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. From perusal of FIR as well as case diary, it appears the son of informant was gone missing thereafter, the informant raised only suspicion against the



petitioner and others and implicated them in the present case. It is a case of last seen and no one is eye witness of the alleged occurrence. Except suspicion, no any consistent material has come against the petitioner to suggest his complicity in the alleged offence. The petitioner has also not motive behind murder of the deceased. The petitioner has got no criminal antecedent and languishing in judicial custody since 10.5.2023. It is further submitted that co-accused namely, Shyam Yadav has already been granted bail by this Court vide order dt. 4.10.2023 passed in Cr. Misc. No. 45638 of 2023.

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

6. Considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Amour P.S. Case No. 325 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Purnea.

(Sunil Kumar Panwar, J)

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