

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64608 of 2022

Arising Out of PS. Case No.-220 Year-2022 Thana- KATEYA District- Gopalganj

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QYAMUDDIN MIYA S/O LATE NEUR MIYA Resident of village- Samogar,
P.S.- Kateya, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 23-03-2023 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered u/s 302 read with section 34
of the Indian Penal Code.

As per the prosecution case, the petitioner and the co-
accused persons in connivance with one another are alleged to
have committed murder of the informant's husband by cutting
his neck with sharp edged weapon while her husband was
sleeping in the courtyard of the new house.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is no eye witness in this case. The name of the petitioner has surfaced in this case on mere suspicion. There is general and omnibus allegation against the petitioner. The petitioner is the *Gotia* of the deceased. Learned counsel has further submitted that the petitioner is aged about 75 years old. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 27.05.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gopalganj in connection with Kateya P.S. Case No. 220 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

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