

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67476 of 2022

Arising Out of PS. Case No.-107 Year-2021 Thana- BHAIKAVSHTHAN District-
Madhubani

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SONU @ MD. NIJAMUDDIN, Son of Md. Kalamuddin R/v- Raiyam, P.S.-
Pandaul, District- Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Baleshwar Kamat, Advocate
For the Opposite Party/s : Mr.Satyendra Narayan Singh, App

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 23-03-2023 Heard learned counsel for the petitioner and the

learned APP for the State.

Petitioner seeks regular bail in connection with
Bhairavsthan P.S. Case No. 107 of 2021 registered for the
offence(s) punishable under Section(s) 302, 201/34 of the
Indian Penal Code.

As per the prosecution, this petitioner along with
other co-accused persons murdered the brother of the informant
by slitting his throat. Further, it is alleged that this petitioner
and the deceased's wife were having illicit relation.

The main submissions advanced by the learned
counsel for the petitioner are that the petitioner is a young
person and has fair and clean antecedent, he has been made



accused mainly on the basis of rivalry with the informant with whom the petitioner also has tense relation and except the petitioner's statement given before the police there is no any other material to connect him to the alleged occurrence, from his possession no incriminating material was recovered, at the time of commission of the alleged occurrence the petitioner was at his home and in the present matter he has been languishing in jail since 17.09.2021 and in the FIR, the informant mainly raised suspicion against the petitioner and other co-accused persons and informant is not stated to be an eye-witness of the alleged occurrence. Further submission is that co-accused Jasima Khatoon, Md. Ujair and Md. Barkat @ Hira, Ekvamul @ Chhotu and Hadisha Khatoon, out of whom three are named in the FIR, have been granted bail by different co-ordinate Benches of this Court vide order passed in Cr. Misc. Nos. 23753 of 2022, 11099 of 2022, 11439 of 2022 and 18143 of 2022 respectively.

Learned APP appearing for the State has opposed the bail prayer.

In view of the facts, as stated above, and mainly considering the petitioner's custody period and the privilege of bail having been granted to several co-accused persons, as



mentioned above, in the opinion of this Court a lenient approach can be taken in respect of the petitioner’s prayer, let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Bhairavsthan P.S. Case No. 107 of 2021.

(Shailendra Singh, J)

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