

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3275 of 2023

Arising Out of PS. Case No.-227 Year-2022 Thana- BAHADURGANJ District- Kishanganj

NAUSAR @ ABUNASAR Son of Farman R/V- Pavna, Ward no. 14, P.S-
pawakhali, Dist- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 20-06-2023 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

The petitioner seeks bail in connection with

Bahadurganj P.S. Case No. 227 of 2022 registered for the

offence under Sections 302, 201, 120(B) and 34 of the Indian

Penal Code.

The accused/petitioner is named in the F.I.R. and is in

custody since 19.08.2022.

The allegation against the petitioner is to commit

murder of wife of informant along with other co-accused

persons, due to previous dispute arises out of money

transactions.



Learned counsel appearing on behalf of the petitioner submitted that petitioner implicated falsely with present case, only out of suspicion arises out of money transactions. It is submitted that apparently informant is not the eye-witness of the occurrence and entire allegation is found upon suspicion. It is further submitted that nothing surfaced/recovered, during course of investigation, which may suggest involvement of this petitioner, *prima facie*, with the present occurrence. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as save and except suspicion, nothing surfaced against this petitioner, where, informant is not eye-witness of the occurrence coupled with the fact that charge-sheet has been submitted, where, petitioner is in custody since 19.08.2022, let the petitioner, above named, is directed to be released on bail in connection with Bahadurganj P.S. Case No. 227 of 2022, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with



two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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