

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78895 of 2023

Arising Out of PS. Case No.-148 Year-2022 Thana- SIMRI District- Darbhanga

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Zeyaul Haque @ Md. Afsar Son Of Ehsanul Haque @ Md. Eshanul Haque
R/O Mohalla- Sher Mohamad Bhigo, P.S.- Laheriyasarai, District- Darbhanga
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Fakhruddin Ali Ahmad
For the Opposite Party/s : Mr.Dinesh Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-12-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of Arms Act.

As per allegation in the FIR, after telephonic conversation with co-accused Arzoo Khan, husband of the informant went out and later, informant received information that her husband has been murdered.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. The name of petitioner has



been arrayed in this case merely on the basis of suspicion. He has no concern with other co-accused persons. It is submitted that petitioner's father has died on 6th of December, 2023 and his last rites will be performed at today's evening. Moreover, the petitioner is languishing in judicial custody since 30.09.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated co-accused Md. Arzoo Khan @ Arzoo Khan has been granted bail vide order dated 28.08.2023, passed in Cr. Misc. No. 43620 of 2023 by the co-ordinate Bench of this Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Simri P.S. Case No. 148 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 the learned S.D.J.M.,
Darbhanga.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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