

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82086 of 2023

Arising Out of PS. Case No.-5 Year-2023 Thana- TARABARI District- Araria

Makil @ Pappu @ Md. Makil Son Of Wasique @ Wasique Ahmad @ Wasil
Ahmad R/O Village- Metan, Ward No.2, P.S.- Tarabari, District- Araria
... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Naushad Uzzoha
For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-12-2023 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 section 302,
201 of the Indian Penal Code.

3. As per FIR, the allegation against unknown
miscreants is that they committed murder of the informant's
younger brother by knife blow thereafter they threw his body
in a pond.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has falsely been implicated in this
present case merely on the basis of confessional statement of
co-accused. The petitioner is not named in the FIR and there



is no eye witness of the alleged occurrence. It is further submitted that there is no specific allegation of commission of murder levelled against the petitioner. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 14.07.2023 passed in Cr. Misc. No. 22368 of 2023. The petitioner is languishing in judicial custody since 15.03.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Tarabari P.S. Case No. 05 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Ist Additional Sessions Judge-cum-Special Judge, Araria.

(Sunil Kumar Panwar, J)

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