

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23121 of 2024

Arising Out of PS. Case No.-269 Year-2022 Thana- KUCHAIKOTE District- Gopalganj

Zahid Hussain @ Jahid Hussain @ Zahid Husen S/O Mehdi Hasan Dewan @
Mehdi Hasan R/O Village- Amwa Bijaypur (Amwa Vijaipur), P.S-
Kuchaikote, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Kuchaikote P.S. Case No. 269 of 2022 instituted for the offence
under Sections 302 & 34 of the Indian Penal Code.

3. Prosecution allegation, in short, is that after hearing
the information regarding dead-body which was lying under a
tree near embankment, the informant along with his family
members reached at the spot and found that the said dead-body
was of his elder brother.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 29-09-2023. Petitioner is
stated to be man of clean antecedent.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. He submits that during investigation, except suspicion, nothing has come against the petitioner. He further submits that there is no eye-witness to the alleged occurrence and the name of the petitioner has been dragged in this case only on suspicion. Other co-accused has been granted bail by this Court, *vide* order dated 13-03-2024, passed in Cr. Misc. No. 16786 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, clean antecedent of the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kuchaikote P.S. Case No. 269 of 2022.

(Rudra Prakash Mishra, J)

Raj kishore/-

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