

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29800 of 2024

Arising Out of PS. Case No.-134 Year-2017 Thana- ABADPUR District- Katihar

Rabbani Son Of Late Faizul Haque Resindent Of Village- Maltipur, Ps-
Abadpur, Dist- Katihar

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad, Adv

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 29-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Abadpur P.S. Case No. 134 of 2017 dated 02.08.2017 registered for the offences punishable u/s 302 read with the section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner is alleged to have assaulted on the head of the informant's wife with *dabia* due to which she sustained injury and she was taken to the hospital for treatment where she died.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is also submitted that there is no eye-witness of the occurrence alleging to the fact that the petitioner participated in the occurrence to kill the deceased. The charge sheet has already been submitted. The petitioner is the full brother of the informant. The petitioner has clean antecedent as stated in para 3 of the bail petition. As per letter no. 228 of 2024 dated 07.05.2024, there are seven charge sheeted witnesses and out of which only four witnesses have been examined till today. Learned counsel has further submitted that the conclusion of trial will take more time. The petitioner is in custody since 03.08.2017 i.e about seven years.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation levelled against the petitioner and the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Katihar in connection with Abadpur P.S. Case No. 134 of 2017,



with a condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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