

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32712 of 2024

Arising Out of PS. Case No.-177 Year-2022 Thana- MOHIUDDIN NAGAR District-
Samastipur

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Sabbir Ahmad @ Lal Babu @ Shabbeer Ahmad Son Of Late Jamaluddin
Village- Mohiuddin Nagar, Terhi Bazar, Police Station Mohiuddin Nagar,
District Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Anant Kumar 1, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 14-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Mohiuddin Nagar P.S. Case No. 177 of 2022 dated 16.07.2022,
lodged under Sections 302, 201, 34 of the Indian Penal Code.

3. As per the prosecution case, FIR has been lodged
against four named (including the present petitioner) and one
unknown accused person with allegation that police has
recovered dead body of unknown lady and upon seeing the
police vehicle, some persons fled away, but with the help of
local *chowkidar*, three persons were apprehended excluding the
present petitioner.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. Counsel submits that the criminal antecedent of the petitioner is clean and he is in custody since 26.09.2023. Counsel further submits that the petitioner is confined to his bed due to illness and is not in a position to do his day to day work even. Counsel submits that the name of the petitioner has been figured in this case only due to the reason that his wife has contested the local election and her enemies have transplanted this conspiracy against the petitioner and others. Counsel further submits that other co-accused persons have been granted bail by the Co-ordinate Bench of this Court as well as by this Court *vide* orders dated 18.04.2023 & 24.02.2023 passed in Cr. Misc. Nos. 66461 of 2022 & 61393 of 2022 respectively.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case particularly in the light of specific plea made in the supplementary affidavit that the petitioner is suffering from chronic disease and still under treatment and almost bed ridden and dependable even for his daily routine work, let the petitioner above named be granted bail, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the



like amount each to the satisfaction of learned Additional District and Sessions Judge-IX, Samastipur in connection with Mohiuddin Nagar P.S. Case No. 177 of 2022, subject to the conditions as laid down U/s 437(3) Cr.P.C.

(Dr. Anshuman, J)

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