

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35547 of 2024

Arising Out of PS. Case No.-1046 Year-2017 Thana- SAHARSA SADAR District- Saharsa

Md. Jalil @ Md. Zalil Son Of Late Lakhan Sah @ Md. Galam Rasul @ Md. Gulam Rasul Resident Of Village - Bhartiya Nagar, Batraha, P.S. - Saharsa, District – Saharsa.

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr.Mithilesh Kumar Singh
For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 09-05-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Saharsa Sadar P.S. Case No. 1046 of 2017 instituted for the offences under Sections 302, 201 and 120B of the Indian Penal Code.

3. As per prosecution case, some unknown persons killed the father of the informant in the red-light area.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. Petitioner is not named in the FIR and the same has been lodged against unknown persons. During investigation, the name of the petitioner has come into light on the basis of suspicion. The petitioner has got no concern with the alleged occurrence and the police after investigation submitted final form against the petitioner on 10.01.2021 showing lack of evidence. The petitioner is in custody since 10.02.2024 and has two criminal antecedents.

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

6. Considering the facts and circumstances of the case as well as the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. 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 Saharsa Sadar P.S. Case No. 1046 of 2017, Subject to following conditions:

(i) One of the bailors shall be own/close member of the family of the petitioner.

(ii) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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