

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44332 of 2024

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

Md. Samim @ Md. Samin @ Punam @ Punma @ Samim @ Md. Shamim
S/O Late Lakhan Sah R/O Mohalla-Bhartiya Nagar, Ward No.- 26/35,
Saharsa,P.S. And Distt-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha

For the Opposite Party/s : Mr.Rabindra Kumar

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

ORAL ORDER

2 24-06-2024 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 No. 11/2020 on 10.01.2020 against the petitioner showing lack of evidence but the Court below differing with the same took cognizance against the petitioner. The petitioner is in custody since 30.03.2024 and has one criminal antecedent.

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.

(Rudra Prakash Mishra, J)

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