

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45183 of 2024

Arising Out of PS. Case No.-658 Year-2021 Thana- ARARIA District- Araria

Shamim @ Md. Shamim Son of Late Abdul Rahman R/O Vill.- Madhopara ward no.4, P.S.- Araria (Bairgachhi), Dist.- Araria. At Present Residing at Kakarwa Basti ward no. 29, P.S. and Dist.- Araria.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Advocate

For the Opposite Party/s : Mr.P. K. Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 06-12-2024 Heard learned counsel for the petitioner and the State.

2. The petitioner seeks regular bail in a case registered for the offence punishable under sections 302, 201, 120B/34 of the Indian Penal Code.

3. As per the prosecution case, informant suspects that all the FIR named accused persons including this petitioner committed murder of the son of the informant.

4. Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. There is no eye witness of the occurrence and only on suspicion petitioner has been named in the FIR as he happens to be step son of informant. Learned counsel submits that save and except suspicion, there is no other direct or indirect evidence against the petitioner to show his



complicity in the occurrence. F.I.R. has been lodged after inordinate delay of 10 days without any explanation which renders the entire prosecution case doubtful. Petitioner claims clean antecedent. Charge sheet has already been filed. Petitioner is in custody since 11.4.2024.

5. Learned counsel for the State opposes the prayer for bail.

6. Considering the aforesaid facts of the case, prayer for regular bail of the petitioner is allowed. Let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria in Araria Bairstachhi Police Station Case No. 658 of 2021.

(Prabhat Kumar Singh, J)

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