

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47947 of 2024

Arising Out of PS. Case No.-317 Year-2023 Thana- ARA NAGAR District- Bhojpur

Md. Shadab Son Of Suhail @ Suhail Village/Mohalla- Chaudhariyana, P.S.-
Ara Town (ARA Nagar), Distt.- Bhojpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar .

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-07-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 302/34 of the Indian
Penal Code.

Allegation against the petitioner along with
others is of killing the brother-in-law of the informant by
wrapping rope around his neck and pulling him.

It is submitted by learned counsel for the
petitioner that the petitioner is innocent and he has
falsely been implicated in the present case. There is no



consistent evidence and eye-witness of the alleged offence. The allegation levelled against the petitioner is general and omnibus where nothing incriminating has been recovered from his conscious possession. The name of petitioner sprang up in this case on the basis of confessional statement of co-accused Md. Guddu. Moreover, the petitioner is languishing in judicial custody since 25.04.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated co-accused Md. Adeem and Md. Guddu have already been granted bail vide order dated 08.12.2023, passed in Cr. Misc. No. 72208 of 2023 and order dated 19.04.2024, passed in Cr. Misc. No. 13860 of 2024 respectively, by this Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody,



this Court is inclined to enlarge the petitioner on bail.

The above named petitioner is directed to be enlarged on bail in connection with Ara Nagar P.S. Case No. 317 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned chief Judicial Magistrate, Bhojpur, Ara.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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