

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72481 of 2023

Arising Out of PS. Case No.-74 Year-2023 Thana- MOUZA HIDPUR District- Bhagalpur

Md. Atif Alam, Son of Late Md. Kamal Uddin Resident Of Village- Bichala
Mohalla Ghazipur, P.S.- Tarapur, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abdul Mannan Khan, Advocate Mr. Allama Abdul Quadir Jamal Faridi, Advocate Mr. Hafiz Shahbaz Arif, Advocate
For the Opposite Party/s	:	Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 07-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Mojahidpur P.S. Case No. 74 of 2023 for the offences registered
under Sections 307, 120B, 34 of the Indian Penal Code and
Section 27 of Arms Act. Later on Section 302 of the Indian
Penal Code was added.

3. As per the prosecution case, on the date of
occurrence F.I.R. named accused persons made firing on the
son-in-law of informant, who later on died.

4. Learned counsel for the petitioner submits that
petitioner is not named in the F.I.R., however his name surfaced



in the case on the basis of confessional statement of co-accused. No incriminating article has been recovered from possession of the petitioner. Only on the basis of suspicion petitioner has been apprehended in this case. He is a student. Petitioner has no criminal antecedent. He is in custody since 23.03.2023. Charge-sheet has already been submitted in this case. There is no likelihood of absconding the petitioner or tampering with the prosecution evidence. It is further submitted that similarly situated co-accused, namely Phulwali Rani @ Rani @ Farhat Parween has been granted regular bail by a Co-ordinate Bench of this Court, vide order dated 25.07.2023 passed in Cr. Misc. No. 30009 of 2023 and co-accused Md. Sabir @ Md. Sabir Khan has been granted anticipatory bail by a Co-ordinate Bench of this Court, vide order dated 11.10.2023 passed in Cr. Misc. No. 44828 of 2023.

5. Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioner.

6. Considering the submissions made on behalf of the parties, facts and circumstances of the case and period of custody, let the petitioner, named above, be enlarged on bail upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of



learned concerned Court where the case is pending in
connection with Mojahidpur P.S. Case No. 74 of 2023.

(Sunil Dutta Mishra, J)

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