

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76734 of 2024

Arising Out of PS. Case No.-128 Year-2024 Thana- ALAMNAGAR District- Madhepura

Md. Manjoor @ Md. Manjoor Alam Son of Md. Ram Jan Ali@Md.Ramjani
Mian Resident of Village- Bargaon Ward No.-05, Muslim Tola, P.S.- Alam
Nagar (Ratwara O.P.), District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Adv. Mr.Uday Chand Prasad, Adv. Mr. Kumar Rajdeep, Adv. Mr. Manoj Kumar, Adv.
For the Opposite Party/s :		Mr.Ramchandra Sahni, APP

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

ORAL ORDER

3 06-12-2024 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Alamnagar (Ratwara O.P.) P.S. Case No. 128 of 2024 instituted
for the offences under Sections 302, 120B of the Indian Penal
Code and Section 27 of the Arms Act.

3. As per prosecution case, the accusation against the
accused persons including the petitioner is of committing
murder of the Informant’s husband.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case



due to illegal motive. The petitioner is the husband of the deceased Hazra Khatoon. The petitioner has no concern with the alleged occurrence and actually the deceased was shot dead by criminals due to enmity. In the entire case diary, the Informant has not alleged any allegation of torturing, assaulting or demanding dowry against the petitioner. The Informant is also not the eye-witness to the alleged occurrence. None of the witnesses are alleged of have seen the petitioner participating in the alleged occurrence of killing the deceased. Learned counsel for the petitioner further submits that the specific allegation of firing is against the co-accused Md. Umar. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent and is languishing in judicial custody since 28.03.2024 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Md. Naeem Akhtar @ Md. Naim has already been granted bail by this Court vide order dated 26.10.2024 passed in Cr. Misc. No. 46285 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner,



stating that the petitioner is named in the F.I.R. and the offence alleged against the petitioner is serious in nature. Postmortem report supports the prosecution case. The I.O. after completion of investigation has submitted charge-sheet against the petitioner under Sections 302, 120-B of the I.P.C.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Alamnagar (Ratwara O.P.) P.S. Case No. 128 of 2024.

(Rudra Prakash Mishra, J)

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