

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3375 of 2024

Arising Out of PS. Case No.-349 Year-2023 Thana- NAANPUR District- Sitamarhi

MD. MURTUJA SON OF LATE JAMSHAIID Resident of Village - Faizpur,
Police Station - Nanpur, District- Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amir Alam

For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 23-01-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 120(B), 201 of the Indian Penal Code.

3. As per prosecution case, the informant alleged that his son went for walk after taking meal, but he did not return. Thereafter, his dead body was recovered. It is further alleged that the petitioner is indulged in hatching conspiracy to kill the informant's son in connivance with others.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in the FIR. His name was transpired on the basis of confessional statement of co-accused Imam Ali,



before police which has got no evidentiary value in the eye of law. During course of investigation, the statement of mother, sister and brother of the deceased was recorded but they have even not raised any suspicion against the petitioner. No any consistent material has come against the petitioner. No one is eye witness of the alleged occurrence. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition and he is languishing in judicial custody since 11.8.2023.

5. Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.

6. Considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Nanpur P.S. Case No. 349 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Pupri, Sitamarhi.

(Sunil Kumar Panwar, J)

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