

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11282 of 2024

Arising Out of PS. Case No.-403 Year-2014 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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Rabu Mian @Md. Rabuddin Son of Hasaney Imam @ Hasan Imam Ro
Village- Bhojpurwa, Ps- Manjhagarh, Dist -Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sumit Shekhar Pandey, Advocate
For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

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

ORAL ORDER

2 26-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Gopalganj P.S. case No. 130 of 2008 instituted for the offences
under Section 302, 120B/34 of the Indian Penal Code and
Criminal Complaint Case No. 403 of 2014 (Sessions Trial No.
743 of 2023).

3. Prosecution case, in short, is that the son of the
informant was murdered by unknown miscreant near *Tirbirwa*
village by cutting his neck .



4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case only on the basis of suspicion. Petitioner is not named in the FIR. Learned counsel further submitted that police submitted charge-sheet after conclusion of the investigation and subsequently, complaint petition was filed by the informant and after that cognizance was taken under Section 302, 120B/34 of the Indian Penal Code. Learned counsel further submitted that nothing has been recovered from the conscious possession of the petitioner. The co-accused persons have already been granted anticipatory bail by the Coordinate Bench of this Court vide order dated 19.02.2016 in Cr. Misc. No. 7483 of 2016 and vide order dated 21.11.2017 in Cr. Misc. No. 54895 of 2017. It has been submitted on behalf of the petitioner that the petitioner is in custody since 22.08.2023 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Gopalganj P.S. case No. 130 of 2008 and Criminal Complaint Case No. 403 of 2014 (Sessions Trial No. 743 of 2023).

(Rudra Prakash Mishra, J)

Alok Verma/-

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