

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45473 of 2014

Arising Out of PS.Case No. -17 Year- 2010 Thana -CHOUTARWA District-
WESTCHAMPARAN(BETTIAH)

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1. Shibu Mian @ Sarfaraj Ahmad Son of Late Rauf Khan Resident of
Village- Sansaraiya, P.S. Bettiah Muffasil, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate.

For the Opposite Party/s : Mr. Subhash Chandra Mishra (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 26-03-2015 Heard both sides.

The petitioner seeks bail in Chautarwa P.S. Case No. 17
of 2010, registered for the offences punishable under Sections 302
and 34 of the Indian Penal Code and Section 27 of the Arms Act.

Ravindra Prasad the informant alleged that while he
along with his father and others were returning to their village, six
persons on two motorcycles came and fired on his father who
died. The informant identified Birendra Mishra, Nasir Mian, Jakir
Mian and Neyaz Ansari.

Learned counsel for the petitioner submits that the
petitioner is not named in the FIR. The name of the petitioner
figured in the case in para-19 of the case diary in which Tabarak
Mian is said to have confessed and disclosed that the petitioner

asked Tabarak Mian to kill Bihari Prasad and money was also paid.

Considering the facts aforesaid and the fact that the except the confessional statement, there is no material on record to show the involvement of the petitioner, he above named is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Bagaha, West Champaran in connection with Chautarwa P.S. Case No. 17 of 2010.

(Prabhat Kumar Jha, J.)

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