

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9390 of 2016

Arising Out of PS.Case No. -44 Year- 2015 Thana -KAJRAILI District- BHAGALPUR

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1. Md. Rashid Son of Md. Shamim, resident of Mohalla- Champanagar,
P.S.- Nathnagar, District- Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Masleh-Uddin Ashraf

For the Opposite Party/s : Mr. Parmeshwar Mehta(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 25-04-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Kajraili
P.S. Case No. 44 of 2015 registered for the offences punishable
under Sections 302 and 201/34 of the Indian Penal Code.

On the basis of fardbeyan of Chaukidar this case was
registered against un-known for recovery of a dead body of male
having cut injury. During investigation the dead body was
identified as of Saiyad Akbar Ali and co-accused Md.
Nijamuddin was apprehended and he confessed his guilt stating
the name of the petitioner also and further the petitioner also
confessed his guilt.

Submission is of false implication and that besides

confession, there is nothing against the petitioner, the petitioner is a handicapped person, he is in custody since 10.11.2015, there is no other material against the petitioner and, as such, he deserves sympathetic consideration.

The learned A.P.P submits that on the basis of call details of mobile, Md. Nijamuddin was apprehended and he confessed his guilt stating the name of the petitioner and others also.

In the facts and circumstances stated above, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Bhagalpur in connection with Kajraili P.S. Case No. 44 of 2015 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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