

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58112 of 2015

Arising Out of PS.Case No. -94 Year- 2015 Thana -BARAUNI District- BEGUSARAI

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Md. Firoz @ Langra @ Khursid, S/o Late Md. Gulam Rasul @ Md. Wasim, R/o village- Baro tola, Chak Hakim, P.S- Phulwaria, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh

For the Opposite Party/s : Mr. M.Haque(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 18-02-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Barauni Chakia P.S. Case No. 94 of 2015 registered for the offences punishable under Sections 302, 201/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegedly, Raushan Kumar, the son of the informant went at 7.00 p.m. to take tea at chowk but did not return and his mobile number was found switched off. Later on his dead body was found in Roop Nagar riverine. During investigation, the name of the petitioner and other co-accused transpires that they being the friends, have killed the deceased.



Submission is of false implication and that during investigation no legal and tangible material has come, there is no eye witness of the occurrence, no one has seen the petitioner in the company of the deceased before the occurrence, the alias name of the petitioner has come, and without any tangible material, he has been apprehended and remanded in this case resulting the petitioner is suffering in custody since 05.06.2015, having no criminal antecedent.

The learned A.P.P. fairly submits that there is no direct evidence against the petitioner.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, 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 C.J.M., Begusarai in connection with Barauni Chakia P.S. Case No. 94 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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