

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44661 of 2016

Arising Out of PS.Case No. -204 Year- 2016 Thana -KAHALGAON District- BHAGALPUR

=====

1. Md. Nasir Ahmad @ Md. Nisar Ahmad son of Late Sawed @ Sayyad Ali
Resident of Village- Kaharpara, P.S.- Barharwa, District- Sahebganj
(Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

4 15-12-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case initially, registered under
Sections-363, 365 in which, later on Sections-364, 302, 201,
120(B) of the Indian Penal Code.

Petitioner is not named in the first information report
and it appears from perusal of the case diary that police on the
basis of mobile No. caught one Santosh Tanti, who disclosed the
name of one co-accused Nomani Sah. Thereafter, aforesaid
Nomani Sah was arrested and made his confessional statement,
disclosing this fact that the present occurrence was committed by
him and others and, so far as petitioner is concerned; the aforesaid
Nomani Sah disclosed that the petitioner was engaged in



purchasing and selling stolen vehicles. Thereafter, the petitioner and some other accused were also arrested. The confessional statement of the petitioner was also recorded and it appears from the aforesaid confessional statement that the petitioner agreed to purchase the stolen vehicles. It is alleged that belongings of the deceased were recovered from house of the petitioner, which is evident from perusal of paragraph-85 of the case diary. Therefore, even if, the material collected against the petitioner is taken into consideration, then also, it is apparent that the petitioner had not taken active part in kidnapping and murder of the deceased.

Considering the above-said facts and circumstances of the case as well as submission of the parties, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Kahalgaon (Rasalpur) P.S. Case No. 204 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur.

(Hemant Kumar Srivastava, J)

A.K.V./-

U		T	
---	--	---	--

