

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.2872 of 2017**

Arising Out of PS.Case No. -187 Year- 2016 Thana -LALIT NARAYAN UNIVERSITY District-  
DARBHANGA

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1. Md. Irshad, S/o Md. Moin, R/o Village - Haryath, P.S. - Alinagar,  
District - Darbhanga.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Satish Chandra Jha-3  
Mr. Ram Naresh Jha,

For the Opposite Party/s : Mr. Sri Harendra Prasad

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      10-02-2017              The petitioner seeks regular bail in connection with  
  
LNMU P.S. Case No. 187 of 2016, registered for offences  
  
punishable under Section 394, 324, 307 of the Indian Penal Code  
  
and later on Section 302 was added as well as under Section 27 of  
  
the Arms Act.

It has been submitted on behalf of the petitioner that  
  
petitioner's name has surfaced in this case only on the basis of  
  
confessional statement of co-accused and except that there is  
  
nothing against him. It has further been submitted that no recovery  
  
has been made from the possession of the petitioner and uptil now  
  
no Test Identification Parade has been conducted and he has been  
  
in judicial custody for more than five months. It has also been



submitted that another co-accused of this case having similar allegation has already been granted the privilege of regular bail by this Court vide order dated 16.07.2017, passed in Criminal Miscellaneous No. 1241 of 2017.

Heard learned A.P.P. also.

Having heard both sides, in view of the fact that petitioner's name transpired in this case only on the basis of confessional statement of co-accused and except that there is nothing against the petitioner and also another co-accused having similar allegation, has already been granted regular bail, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five) with two sureties of the like amount each to the satisfaction of learned CJM, Darbhanga, in connection with LNMU P.S. Case No. 187 of 2016, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal



of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

**(Vinod Kumar Sinha, J)**

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