

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.59793 of 2018

Arising Out of PS.Case No. -406 Year- 2018 Thana -SAHARSA District- SAHARSA

1. Md. Nazim @ Md. Sitiyar @ Md. Najim S/o Md. Azeem, resident of Mohalla- Saharsa Basti, P.S. Saharsa, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Adv

For the Opposite Party/s : Mr. Sri Panchanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 02-11-2018 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 302,34 of the Indian Penal Code and 27 of Arms Act.

Some unknown person fired at the son of the informant in presence of the informant and fled away taking advantage of the darkness. The FIR of the occurrence of murder was registered against unknown. Name of the petitioner surfaced in the confessional statement of co-accused.

Submission is that there is no eye witness of the occurrence. Confession before the police while in police



custody is irrelevant.

Considering the fact that there is no substantial material against the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Saharsa P.S.Case No.406 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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