

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46540 of 2018

Arising Out of PS.Case No. -23 Year- 2018 Thana -AURAI District- MUZAFFARPUR

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1. MD. AJIJ AHMAD Son of Md. Ataur Rahaman, resident of Village-Chainpur, P.S.- Aurai, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jyotsna Rani Mishra

For the Opposite Party/s : Mr. Sri Shailendra Kumar -1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 17-09-2018 Heard the parties.

Petitioner seeks bail in Aurai P.S.Case No.23 of 2018 registered for the offences under Sections 363 364, 365, 302 and 201/34 of the I.P.C.

Petitioner is not named in the F.I.R. and it appears that during course of investigation his name transpired on the basis of confessional statement of co-accused.

Submission of the learned counsel for the petitioner is that the petitioner has been falsely made accused in this case only on the basis of confessional statement of co-accused Md. Shahnawaj and there is absolutely nothing against him. He is in custody since 07.03.2018 having no criminal antecedent.

Heard learned A.P.P. also who opposed the prayer of the



petitioner stating that it has come in paras 63 and 64 of the case diary that this petitioner along with his uncle was seen carrying some article wrapped in polythine by witnesses Kishori Ram and Ram Babu and thereafter dead body of the son of the informant was found.

Having heard both sides and in view of the period of incarceration of the petitioner, as stated above, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- with two sureties of the like amount each to the satisfaction of A.C..J.M.-Cum- Sub Judge-14th, Muzaffarpur, in Aurai P.S. Case No.23 of 2018 subject to the conditions that (1) one of the bailors must 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 and the petitioner shall co-operate in disposal of the trail and make himself available as and when required by the court, otherwise, his bail bond shall be cancelled

(Vinod Kumar Sinha, J)

AnilKrSinha/-

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