

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8247 of 2019

Arising Out of PS. Case No.-498 Year-2018 Thana- SIWAN CITY District- Siwan

Firoz, s/o Serajuddin @ Mohammad Serajuddin Resident of Village- Purani
Quila Pokhra, P.S.- Siwan Town, District- Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Javed Aslam
For the Opposite Party/s	:	Mr.Suresh Prasad Singh
For the informant	:	Mr. Zeyaul Hoda

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 25-04-2019 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.

The petitioner seeks bail in a case instituted for the
offences under Sections 302, 120B of the Indian Penal Code and
27 of the Arms Act.

The prosecution case in short is that while the son of
the informant was returning to his house, the accused persons
shot fire on him due to which he sustained injuries and later
died in course of treatment.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 29.10.2018. There is no
allegation of tampering of witnesses alleged against the
petitioner. Charge-sheet has been submitted in the present case.



The petitioner is not named in the F.I.R.. The F.I.R. was instituted against three co-accused persons who were suspected to have committed the crime. The name of the petitioner has come on the basis of confession of co-accused. Except for this, there is no other substantive evidence to suggest that petitioner has participated in the alleged occurrence. There is no eye witness to the alleged occurrence.

On behalf of the State and informant, it is submitted that the petitioner is not named in the F.I.R. The name of the petitioner come on the confessional statement of co-accused.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Siwan Town P.S. Case No. 498/2018.

(Sudhir Singh, J)

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