

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16633 of 2019

Arising Out of PS. Case No.-632 Year-2018 Thana- FORBESGANJ District- Araria

Md. Nehal, aged about 19 years, Male, Son of Md. Abu Shama, Resident of Village - Madarganj, Ward No.15, P.S.- Simraha (Forbesganj), Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar, Advocate
For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 25-06-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered under Sections 341, 323, 324, 302, 504/34 of the Indian Penal Code.

The prosecution case in brief is that in course of coming Simraha Bazar, in the way, the miscreants sorrounded the informant with his brother and in consequence thereof, the informant's brother was assaulted, as a result of which, he sustained injuries and was declared to be dead in Forbesganj hospital.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 22.12.2018. Charge



sheet has already been submitted. The FIR is against unknown. The petitioner is not named in the FIR. The name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused. Except for confessional statement, there is no other substantive evidence to suggest the implication of the petitioner in the present case. The co-accused having similar allegations have been granted bail by Co-ordinate Bench of this Court vide order dated 03.05.2019, 07.05.2019 and 29.03.2019 passed in Cr. Misc. Nos.290331 of 2019, 29128 of 2019 and 18390 of 2019.

On behalf of the State, it is submitted that the petitioner is not named in the Complaint Case/F.I.R.

In the facts and circumstances, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Araria in connection with Forbesganj (Simraha) P.S. Case No. 632 of 2018.

(Anjani Kumar Sharan, J)

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