

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67720 of 2019

Arising Out of PS. Case No.-153 Year-2019 Thana- ARARIA District- Araria

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MUZAMMIL @ MD. MUZAMMIL, Male, aged about 27 years, S/o
Tazuddin @ Tajuddin, Resident of Village- Murballa, P.S. and District- Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Abhijeet Gautam, Advocate.
For the Opposite Party : Mr.Nirmal Kumar Sinha,A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-11-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence registered under Sections 449, 380, 457 and 395 of the IPC in which cognizance has been taken under Sections 447 and 457 of the IPC.

The prosecution story, in brief, is that on 28.02.2019 one Shyam Bihari Singh, the Protocol Officer, Civil Court, Araria, filed a complaint before the S.H.O., Araria P.S. to the effect that local people of the vicinity saw a person standing on the window of First Floor of Block-'G' of New Judicial Residence, Araria, and it was informed by the Night Guard, Sri Vijay Kumar Priyadarshi at B.P.M. on 28.02.2019. On hullah, he and judicial officers and some judicial employee assembled and



information was given to the police and person was brought down by the police. On interrogation, he came to commit murder with six persons and rest persons armed with deadly weapons fled away after hearing hullah. He came to commit murder and stealing valuable articles. The sleeper of miscreants, who succeeded to flee away, was found at the place of occurrence. On interrogation, he gave his details and also said that he came to kill the judicial officer after saying by Waris Mukhiya.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 01.03.2019. The petitioner has got no criminal antecedent. The petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The cognizance has been taken in the present case under Sections 447 and 457 of the IPC. The case is triable by the Magistrate.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let 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 the learned J.M. Ist Class, Araria, in connection with Araria P.S. Case No. 153/2019.

(Sudhir Singh, J)

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