

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82966 of 2019

Arising Out of PS. Case No.-157 Year-2019 Thana- KASIMBAZAR District- Munger

Md. Raju Biya @ Md. Raju Son of Md. Rafik @ Biya @ Md. Shafik,
Resident of Village- Mansari Talle, P.S.- Kasimbazar, District- Munger.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate
For the Opposite Party/s : Mr.Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 13-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in this case is seeking regular bail in connection with Kasimbazar P.S. Case No. 157 of 2019 registered for the offence punishable under Sections 399/402 of the Indian Penal Code and Sections 25(I-b) a/26/35 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case due to dirty village politics. It is further submitted that the name of this petitioner has transpired in the confessional statement of the co-accused but there is no recovery of any incriminating article from the possession of this petitioner. Petitioner is in custody since 16.08.2019.



Learned APP for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case, wherein the name of this petitioner has transpired in the confessional statement of the co-accused but there is no recovery of any incriminating article from the possession of this petitioner, the petitioner has remained in custody for four months and further that one case which has been there against the petitioner has been lodged simultaneously on the basis of the confessional statement of the co-accused, investigation being complete, let the petitioner above named be released on bail in connection with Kasimbazar P.S. Case No. 157 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned 4th Additional District and Sessions Judge, Munger, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and



(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

vats/ved

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