

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7917 of 2020

Arising Out of PS. Case No.-274 Year-2018 Thana- JOKIHAT District- Araria

Akbar @ Md. Akbar Son of Mushtaque @ Md. Mushhtaque Resident of
Village - Jogender, P.S.- Mahalgaon (Jokihat), District- Araria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Anil Prasad Singh, Adv.

For the Opposite Party : Mr. Jitendra Kumar Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3 05-06-2020 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State through video
conferencing.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 201/34 of the Indian
Penal Code.

The name of petitioner came in confessional statement
of co-accused Nausad and subsequently, on 13.09.2019 police
raided the house of the petitioner and arrested him. Police also
recovered one jeans pant and mobile from the house of the
petitioner. The investigating officer claimed that petitioner
accepted that recovered jeans pant was of the deceased.
Furthermore, the petitioner confessed his guilt before the police.

Learned counsel appearing for the petitioner submits
that learned court below has committed error in the impugned



order mentioning that the alleged recovery of jeans pant was made on the basis of confessional statement of petitioner. He further submits that dead body of the deceased was recovered and the inquest report goes to show that at the time of recovery of dead body of the deceased, he had wore lungi and moreover, the so-called recovered jeans pant has not been put on T.I.P. and therefore, except the confessional statement of co-accused as well as petitioner, there appears to be nothing against the petitioner. He further points out that moreover, co-accused Nausad and some others have already been granted privilege of bail.

Considering the aforesaid facts and circumstances as well as submissions of the parties, 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 learned Chief Judicial Magistrate, Araria in connection with Jokihat (Mahalgaon) P.S. Case No. 274 of 2018.

(Hemant Kumar Srivastava, J)

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