

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30909 of 2020

Arising Out of PS. Case No.-351 Year-2019 Thana- PARSABAZAR District- Patna

MD. SHAMSAD @ CHOTU S/o Md. Islam @ Nepali R/o village- Naya Tola, Talabpar, Biharsharif, P.S.- Biharsharif, Distt.- Nalanda at Present near at Baital Karim, Maszid, tenant in the house of Dr. Goitha, P.S.- Phulwarisharif, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha
For the Opposite Party/s : Mr.Ram Sewak Chaudhary

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-11-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading 'For Orders' under the orders of Hon'ble the Chief Justice.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case instituted for the offences under Section 392 of I.P.C.

Allegation is that one loaded country made pistol is recovered from the possession of the petitioner.



It has been submitted on behalf of the petitioner that the petitioner is in custody since 21.09.2019. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. His name has come in this case on confessional statement of co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. The petitioner has not been put on T.I.P. to ascertain his participation in the alleged occurrence. Other co-accused have been granted bail vide Annexures 2 and 4 to the present application.

On behalf of the State, it is submitted that the petitioner is not 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 Additional Sessions Judge XIII, Patna in connection with Parsa Bazar P.S. case No.351 of 2019, Sessions Trial No.1124 of 2019.

Narendra/-

(Sudhir Singh, J)

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