

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13393 of 2021

Arising Out of PS. Case No.-85 Year-2020 Thana- GARDANIBAG District- Patna

Munna Malik @ Shahbaj @ Sahwaj Mallik @ Munna Mallik Son of Wasim
Resident of Danapur Jail Ke Bagal Me, Police Station - Danapur, District -
Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar, Adv.

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 27-09-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 302, 120B of the Indian
Penal Code.

The nephew of the informant is said to have been
killed by some unknown miscreants by resorting firing.
Petitioner is not named in the FIR.

Learned counsel for the petitioner submits that
petitioner is innocent, not named in the FIR and has been falsely
implicated in this case. He submits that the petitioner has been
made accused in this case on the confessional statement of co-
accused Dhiraj Kumar. He submits that charge-sheet has already
been submitted and there is allegation of tampering with the



prosecution witnesses by the petitioner. He submits that there is no specific allegation of overt act against the petitioner. He submits that similarly situated co-accused has already been granted bail by a coordinate Bench of this Court in Cr. Misc. No. 14416 of 2021 on 14.09.2021. He further submits that petitioner bears one criminal antecedent as stated in para-3 of the bail application and he is languishing in judicial custody since 16.02.2020.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Gardanibagh P.S. Case No. 85 of 2020.

(Anjani Kumar Sharan, J)

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