

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31024 of 2021

Arising Out of PS. Case No.-501 Year-2020 Thana- PHULWARISHARIF District- Patna

Md. Raj @ Mohammad Raja @ Jauhar Son Of Md. Jalil R/O Village-Ishopur, Near Nahar Par, P.S.- Phulwarisharif, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Adv.

For the Opposite Party/s : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-12-2021 Heard.

The petitioner seeks regular bail in connection with Phulwarisharif P.S. Case No. 501 of 2020 for the offence punishable under Sections 302, 120(B)/34 of the Indian Penal Code.

The allegation is regarding the son of the informant having gone out of the house and later it transpired that he had been killed upon being shot at by unknown persons.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 19.12.2020. The learned counsel for the petitioner has further submitted that there is no eye witness to the occurrence in question and moreover, the co-accused person, on whose confessional statement, the name of the petitioner has transpired in the



present case, has already been granted bail by a co-ordinate Bench of this Court vide order dated 23.07.2021 passed in Cr. Misc. No. 7428 of 2021.

Per contra, the learned APP appearing for the State has vehemently opposed the prayer for regular bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused person, who has been granted bail by a co-ordinate Bench of this Court, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned Sub-Judge IX, Patna in connection with Phulwarisharif P.S. Case No. 501 of 2020.

(Mohit Kumar Shah, J)

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