

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38355 of 2021

Arising Out of PS. Case No.-725 Year-2020 Thana- TURKAULIYA District- East
Champaran

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Sahid Raza @ Sahid Rezza Son of Nurul Hodda Resident of Mohalla -
Raghunathpur Ward No. 4, P.S.- Raghunathpur O.P., Turkaulia, District - East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Y.C.Verma,Sr.Adv. Mrs. Priyanka Singh,Adv.
For the Opposite Party/s :		Mr. Ashok Kumar Singh,APP Mr. Vijay Shankar Srivastava,Adv.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4. 16-11-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Sessions Trial No. 245 of 2021, arising out of Turkaulia Banjaria P.S. Case No. 725 of 2020, registered for the offence under Sections 302, 120-B and 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the F.I.R., while the informant, his brother and other family members were going for morning walk, suddenly four miscreants riding on two motorcycles came there and two of them fired upon informant's brother, on account of which, he died.

Petitioner is not named in the F.I.R. Name of the petitioner has come during course of investigation. Petitioner



was identified in the CCTV footage, which was installed nearby place of occurrence, where he was seen alongwith the main assailants. It is further submitted that as per materials collected during course of investigation, the main assailants were Munna Singh and Chotu Sah. So far as this petitioner is concerned, he was only seen in the company of assailants. By referring to paragraph – 3 of the petition, it was argued that though, petitioner has got criminal antecedent and he is accused in two more criminal cases, but in both the cases, petitioner is on bail. Petitioner is in custody since 20.02.2021. Chargesheet has already been submitted.

Learned counsel for the State and Informant vehemently opposed the bail petition. It is submitted by counsel for the informant that during course of investigation, this petitioner was seen and identified by many witnesses in the company of main assailants and was very much present at the place of occurrence.

Considering the nature of allegation, period of custody, materials collected during course of investigation and the fact that petitioner was only seen with the main assailants in the CCTV footage, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing



bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-IV, East Champaran at Motihari in connection with Sessions Trial No. 245 of 2021, arising out of Turkaulia Banjaria P.S. Case No. 725 of 2020.

(Prabhat Kumar Singh, J.)

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