

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47644 of 2021

Arising Out of PS. Case No.-196 Year-2019 Thana- SAKRI District- Madhubani

AFSAR WALI Son of Wali Ahmad Resident of - Deora, P.S.- Jaley, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Fahimuddin
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-11-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 392/302 of the Indian Penal Code and u/s 25(1-b)a, 27 of Arms Act. .

As per the prosecution case, while son of informant was returning from bank on his motor cycle, on the way, three unknown miscreants riding on motor cycle stopped him and shot at his chest and snatched a bag containing Rs. 6 lakh from his possession. Later on, he succumbed to injury.

Learned counsel appearing for the petitioner submits that petitioner is not named in the FIR. The name of petitioner has come in this case during the course of investigation in the confessional statement of co-accused, Parweej. It is submitted



that only material that has come against this petitioner that he was found talking with co-accused at the time of occurrence. No incriminating article has been recovered from the possession of the petitioner and till date the petitioner has not been put on Test Identification Parade. Similarly situated accused, Rakesh Kumar Sah, Manoj Kumar Das and Md. Parwej have already been granted bail by different Benches of this court vide orders passed in Cr. Misc. No. 27115/2020, 40665/2020 and in Cr. Misc. No. 12321/2021. Petitioner is in custody since 03.02.2020 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, 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 Chief Judicial Magistrate, Madhubani in connection with Sakri PS case No. 196/2019.

(Prabhat Kumar Singh, J)

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