

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5398 of 2021

Arising Out of PS. Case No.-285 Year-2019 Thana- KUDHNI District- Muzaffarpur

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MD OSAMA SON OF MD. SAKIL RESIDENT OF VILLAGE-
DHARAMPUR, POLICE STATION- SADAR, DISTRICT-
MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Nitu Kumari

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 27-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Kudhni (Turki O.P.) P.S. Case no.285 of 2019 registered under section 302 and other sections of the Indian Penal Code and section 27 of the Arms Act.

As per the allegation in the F.I.R., it is stated that the son of the informant was taken away by Amit Kumar and Tilak Sharma. He returned, and after taking food went to sleep. Thereafter he was once again taken where Prem Sah was also present. After having gone to sleep, it is stated that the next morning, dead body of his son was recovered.

It is submitted by learned counsel for the petitioner that the petitioner is not named in the F.I.R. Learned court below considered the material that has transpired in course of



investigation. The name of the petitioner transpired in the confessional statement of co-accused Md. Azad. The said Md. Azad has been enlarged on bail vide order dated 21.12.2020 passed in Cr. Misc. No.30241 of 2020. The petitioner has not been put on T.I. parade. He is in custody since 30.8.2020. The investigation in the case has concluded.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the fact that co-accused Md. Azad on whose confession the name of the petitioner has been transpired has been enlarged on bail together with the investigation of the case having concluded, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Kudhni (Turki O.P.) P.S. Case no.285 of 2019 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 3rd West, Muzaffarpur.

(Partha Sarthy, J)

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