

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6009 of 2021

Arising Out of PS. Case No.-105 Year-2019 Thana- GANDHIMAIDAN District- Patna

MD. TALMID @ SIMI @ CHINI, S/O Late Md. Cash Resident of Village -
Bakarganj, (Mohrampur), P.S. - Pirbahor, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 19-07-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 302, 120(B) of the Indian
Penal Code and 27 of the Arms Act.

The prosecution case in brief is that, the informant
with his elder brother managed two shops at Dak Bungalow
Chouraha and Mourya Complex. The informant received a
telephonic message around on 23.02.2019 that his elder brother
has met with an accident and is admitted in PMCH, Patna
where, he was told by the family members that his brother has
been murdered. It has also been stated that his brother was
carrying money and was going to his shop and in order to snatch
money from him, the accused persons murdered him.



Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is not named in the FIR, on the confessional statement of co-accused he had made accused in this case. The petitioner is in jail custody since 28.03.2019. The petitioner has 08 criminal antecedents which is mentioned in para 3 of the bail petition. Similarly situated co-accused has been granted by a co-ordinate Bench of this Court.

Learned APP for the State opposed the prayer for bail petition and submits that the petitioner had accepted this fact in his confessional statement that he fired upon the deceased. Other co-accused also stated in his confessional statement made the same statement before the police. On the confessional statement of co-accused and presently arms have been recovered from the house of the co-accused.

I perused the case diary and record, it appears that the petitioner belongs to an organized criminal gangs and he is having several criminal antecedents.

Considering the aforesaid facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected in connection with Gandhi Maidan P.S. Case No. 105/2019 from



the Court of learned A.D.J.-(XX), Patna.

Accordingly, this application is dismissed.

The trial court is directed to complete the trial as expeditiously.

(Anjani Kumar Sharan, J)

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