

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10704 of 2022

Arising Out of PS. Case No.-209 Year-2021 Thana- PATNA CITY CHOWK District- Patna

Ashfaque Ahmad Son of Md. Shoeab A permanent resident of Mohalla-Ramraj More, Stalin Road, Siwan, P.S.- Town, District- Siwan, At present- Petrol Line Gali, Naya Tola, Phulwarisharif, P.S.- Phulwarisharif, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Nawnit Kumar Tiwary
For the Informant	:	Mr. Atul Kumar Mehta
		Ms. Sushmita Singh
For the Opposite Party/s :		Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 16-05-2022 Heard both parties.

The petitioner seeks bail in Chowk P.S. Case No. 209 of 2021 corresponding to Sessions Trial No. 785 of 2021, registered for the offence punishable under Sections 302, 120B and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, son of the informant was shot dead by the co-accused Md. Meraj and Md. Arif.

It is submitted on behalf of the petitioner that petitioner is not named in the FIR. Name of this petitioner transpired in this case on the basis of confessional statement of co-accused Md. Meraj which has got no evidentiary value. Save and except confessional statement of co-accused there is no



cogent material against this petitioner which shows his involvement in the alleged occurrence. Petitioner claims clean antecedent and he is in custody since 01.09.2021.

However, counsel for informant vehemently opposed the prayer for bail.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 3, Patna City, Patna in connection with Chowk P.S. Case No. 209 of 2021 corresponding to Sessions Trial No. 785 of 2021.

(Prabhat Kumar Singh, J)

vinita/-

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