

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29026 of 2021

Arising Out of PS. Case No.-401 Year-2020 Thana- TAJPUR District- Samastipur

MD. DANISH Son of Md. Irfan Resident of Village - Rahimabad, P.S.-
Bangra, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Anjum Akhter, Adv.

For the Opposite Party/s : Mr. Jai Narayan Thakur, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 07-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 394 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, two unknown accused persons are stated to have murdered the son of the informant while he was coming home from the Bank and they looted him of Rs.2.3 lacs.

It is submitted by learned counsel for the petitioner that the F.I.R. was registered against unknown. It is submitted that no material has transpired in course of investigation to connect the petitioner with the alleged crime. The material being relied on against the petitioner is his confessional statement



made before the police which has not led to recovery of any incriminating article and further the tower location of the mobile phone of the petitioner. Learned counsel for the petitioner further refers to the seizure list to submit that the so called motorcycle bearing registration no.BR36M 5099 seized in the case belongs to one Anil Kumar and not the petitioner. He is in custody since 23.10.2020 and has no criminal antecedent. Chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the material that has transpired in course of investigation and the petitioner having remained in custody for over 1 year, the Court directs the petitioner to be enlarged on bail in connection with Tajpur P.S. Case no. 401 of 2020 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 A.J.C.M. -1, Samastipur.

(Partha Sarthy, J)

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