

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46922 of 2021**

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

MD. SAMEER AMAN @ MD. GULREJ @ BABBU @ BABLU S/o MD.
ARSHAD R/o VILLAGE-RAHIMTOLA, CHAND CHAUR, P.S-
UJIYARPUR, DISTRICT-SAMASTIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Pathak, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 08-03-2022

Heard learned counsel for the parties.

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 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 returning home from the Bank and they looted an amount of Rs. 2,30,000/- which he was carrying.

It is submitted by learned counsel for the petitioner that the FIR was registered against unknown. The name of the petitioner transpired in course of investigation in the confessional statement of co-accused Md. Danish made before police which is inadmissible. Further Md. Danish himself has



been enlarged on bail vide order dated 7.1.2022 passed in Cr. Misc. no. 29026 of 2021. No incriminating material has transpired against the petitioner to connect him with the alleged crime. The petitioner is in custody since 23.1.2021 and the investigation in the case has concluded.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner being in custody for over 1 year, the investigation in the case having concluded and grant of bail to co-accused Md. Danish on whose confessional statement before the police the name of the petitioner transpired, the petitioner is directed 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 Additional Chief Judicial Magistrate I, Samastipur.

(Partha Sarthy, J)

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