

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50442 of 2021

Arising Out of PS. Case No.-16 Year-2021 Thana- BHAIKAVSHTHAN District- Madhubani

MD AZAD S/o Late Md. Habib Resident of Village - Bariyarpur, P.S. - Piar,
District - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Thakur

For the Opposite Party/s : Mrs.Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 05-05-2022 Heard the parties.

Petitioner seeks regular bail in connection with
Bhairavshthan PS Case No. 16 / 2021 registered under Section
302 / 201 of the IPC.

Prosecution case in short is that on 15-02-2021 at
about 8.00 P.M. the nephew of the informant got down from
train and informed his son that he would be coming to home by
Auto but he did not reach. Next morning i.e. on 16-02-2021
dead body of the informant's nephew was found lying by the
side of the road.

Learned counsel for the petitioner submits that
petitioner has been implicated in this case on the basis of



recovery of mobile phone of the deceased from the possession of the petitioner. He next submits that confessional statement of the co-accused / Md. Akbar has been recorded during the course of investigation, who disclosed that the mobile in question was sold in favour of the petitioner by Md. Akbar and other co-accused for a sum of Rs. 7500/-. He next submits that the co-accused persons have accepted in their confessional statement that they have committed the present offence and the petitioner was only a purchaser of the looted article. Learned counsel next submits that during the course of investigation no material has come to show that the petitioner was knowing from before that the mobile in question was a looted property. The petitioner has got no criminal antecedent and he is in custody since 26/02/2021.

Regard being had to the submissions made by the parties, taking into consideration the fact that petitioner has got no criminal antecedent, he is in custody since 26-02-2021 and charge sheet has already been submitted, as such, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000 /- (twenty thousand) with two sureties of the like amount each to the



satisfaction of learned A.C.J.M- 3rd , Jhanjharpur, District –
Madhubani in connection with Bhairavshthan PS Case No. 16 /
2021.

(Anil Kumar Sinha, J)

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