

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51407 of 2021**

Arising Out of PS. Case No.-372 Year-2019 Thana- TEGHRHA District- Begusarai

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BHOLA MIAN @ MD SAZZAD @ MD SAJJAD Son of Md. Aziz @ Kaley
@ Abdul Aziz @ Abdul Ajij Resident of Village- Dargah Mohalla, Ward
No.08, P.S.- Teghra, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Fahimuddin, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

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

3 30-03-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 302, 387 and
34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, it is stated by the
informant that four accused persons started having altercation
with his son and in course thereof one of the accused fired three
shots from his pistol seriously injuring his son who on being
taken to the hospital was declared dead.

It is submitted by learned counsel for the petitioner
that the petitioner is not named in the FIR, the FIR having been
registered against three named accused persons and one
unknown accused person. While the FIR was registered on



26.10.2019, the name of the petitioner transpired for the first time in the confessional statement of a co-accused made before police on 19.5.2021 i.e. after seven months. No independent witness has supported the allegation against the petitioner who is in custody since 4.3.2021 and charge sheet has been submitted in the case.

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 more than 1 year, the Court directs the petitioner to be enlarged on bail in connection with Teghra P.S. Case no. 372 of 2019 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 C.J.M, Begusarai.

(Partha Sarthy, J)

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