

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58457 of 2021

Arising Out of PS. Case No.-260 Year-2021 Thana- SIWAN CITY District- Siwan

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SHAHJAD AHMAD Son of Late Yusuf Miyan @ Id Mahammad Resident of
Village - Chap, P.S. - Sarai O.P., District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 09-05-2022 Heard learned counsel for the parties.

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

As per the prosecution case, it is stated by the informant that he received information about his younger brother having been shot. On reaching the hospital he found that his brother had been shot in his chest and in his head.

It is submitted by learned counsel for the petitioner that the petitioner is not named in the FIR. His name transpired in course of investigation in the further statement of the informant wherein it was stated that the petitioner along with 2-3 others were involved in the crime. It is submitted that the prosecution is further relying on the confessional statement of



the petitioner made before the police. No incriminating article has been recovered pursuant to the said confessional statement. He is in custody since 3.6.2021 and chargesheet has been submitted in the case. There is no eye witness to the occurrence.

The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant submits that the petitioner has confessed to have committed the crime in question along with the accused persons.

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, no incriminating article having been recovered from the possession of the petitioner together with the petitioner having remained in custody for over 11 months, the Court directs the petitioner to be enlarged on bail in connection with Siwan Nagar (Sarai OP) P.S. Case no. 260 of 2021 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 Chief Judicial Magistrate, Siwan.

(Partha Sarthy, J)

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