

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52495 of 2022

Arising Out of PS. Case No.-177 Year-2021 Thana- BELA District- Sitamarhi

Md. Aftab @ Md. Aftab Shekh Son Of Late Nazir @ Late Md. Najir R/O
Village- Betaha, P.S.- Bela, District- Sitamarhi

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Advocate

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-12-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the Office, within a
period of four weeks.

The petitioner seeks bail in a case instituted for the
offences under Sections 395, 397 of the Indian Penal Code
and section 3 of Explosive Substance Act.

Prosecution allegation, in short, is that the accused
persons entered into the house and assaulted the family
members of the informant and also took away ornaments and on
returning exploded bomb.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 09.03.2022. Charge-



sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. The name of the petitioner has transpired on the basis of confessional statement of co-accused made before the police. The petitioner has not been put on T.I.P. to ascertain his participation in the present case.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 14th Additional Sessions Judge, Sitamarhi in connection with Bela P.S. Case No. 177/2021 (Sessions Trial No. 213/2022).

(Sudhir Singh, J)

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