

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67127 of 2021**

Arising Out of PS. Case No.-144 Year-2021 Thana- SAHEBPUR KAMAL District-
Begusarai

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Md. Tanveer, Son Of Md. Afaque Resident Of Village - Lakhminia, P.S.-
Balua, District - Begusarai.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Ms. Sagarika – Advocate
		Mr. Anuj Kumar- Advocate
For the Opposite Party/s :		Mr. Binod Kumar No.3- A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-05-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 393, 397, 307/ 34 of the
Indian Penal Code and Section 27 of the Arms Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 19.07.2021, charge-sheet has been
submitted in the case and has antecedent of one case.

The learned counsel for the petitioner submits that the
informant alleges that while he along with his uncle were
returning from a birth ceremony when they were intercepted by
four unknown criminals, who tried to commit robbery, but the
informant tried to flee from the place of occurrence when the



criminals from behind shot the uncle of the informant on his back.

The learned counsel for the petitioner submits that F.I.R. was against unknown and this petitioner was arrested in Sahebpur Kamal P. S. Case No.145 of 2021 for possessing a mobile and an air-gun and pellets. It is submitted that the petitioner in police custody was made to confess his participation in the present occurrence also. It is thus submitted that any confession made before the police custody is not admissible in evidence.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted in the case and his name transpired based on his own confessional statement, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sahebpur Kamal P. S. Case No.144 of 2021, subject to condition that one of the bailors shall be the father of the petitioner namely, Md. Afaque.



The application stands allowed.

(Satyavrat Verma, J)

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