

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70553 of 2021

Arising Out of PS. Case No.-6 Year-2021 Thana- NAYAGAON District- Begusarai

Md. Mahfuz Islam @ Tasnu @ Md. Mohipijul Islam Son of Md. Monazir Islam @ Md. Monazir @ Chhotan Resident of Village- Lalpur, Ward No. 6, P.S.- Matihani, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-04-2022 Heard both parties.

The petitioner seeks bail in Nayagaon P.S. Case No. 06 of 2021, registered for the offence punishable under Sections 302, 120(B) and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, four FIR named accused persons committed murder of the son of informant.

It is submitted on behalf of the petitioner that petitioner is not named in the FIR. Name of this petitioner has surfaced in this case on the basis of confessional statement of co-accused Md. Izrail @ Chhotu and on his own confession before the police. Only material that has come against this petitioner is that during course of investigation on the analysis



of call detail report (CDR), it has come that petitioner was in contact with other co-accused at the time of alleged occurrence. Except this fact, there is no material against this petitioner which shows his complicity in the alleged occurrence. Petitioner is in custody since 27.02.2021.

However, counsel for informant vehemently opposed the prayer for bail and submitted that there is confessional statement of co-accused Md. Izrail @ Chhotu and self confession of petitioner in which they have admitted their guilt and admitted that they are in contact with other co-accused persons.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class, Begusarai in connection with Nayagaon P.S. Case No. 06 of 2021.

(Prabhat Kumar Singh, J)

vinita/-

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