

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7280 of 2023

Arising Out of PS. Case No.-353 Year-2022 Thana- RUPASPUR District- Patna

MD. TABREZ @ MOHAMMAD TABREZ @ TABREZ Son of Md. Saghir
@ Samir Resident of Mohalla- Naya Tola Paithan Toli, Karbala more,
Phulwari Sharif, P.S.- Phulwari Sharif, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Obaidur Rahman

For the Opposite Party/s : Mr. Anil Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 22-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 302, 201,
120(B) of the Indian Penal Code.

According to FIR, a unknown dead body was
recovered from mud with the help of local person and for the
identification, the photo of dead body was posted on social
media. Thereafter, the informant stated on perusal of occurrence
place, it seems that it was a planned murder by unknown
accused and thrown the dead body in canal with a view of wipe
out the evidence.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. The petitioner is not named in the FIR rather he has falsely been implicated in this case. The name of the petitioner came into light during investigation on the basis of confessional statement of co-accused namely, Atul Kumar before the police which is inadmissible in the eye of law. Except confessional statement, no further material is available to suggest the involvement of the petitioner in the present case. Moreover, similarly situated co-accused namely, Perwez Alam has already been granted bail by a co-ordinate Bench of this Court vide order dated 18.5.2023 passed in Cr. Misc. No. 6898 of 2023. It is further submitted that the petitioner is languishing in judicial custody since 26.6.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Rupaspur P.S. Case No. 353 of 353 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned Addl. District & Sessions JudgeI,
Danapur.

(Sunil Kumar Panwar, J)

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