

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10109 of 2023

Arising Out of PS. Case No.-119 Year-2022 Thana- SARSI District- Purnia

ISTIYAK @ MD. ISTIYAK Son of Late Taslim @ Badri Resident of Village -
Fulkaha, P.S.- Jadia, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh
For the Opposite Party/s : Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-05-2023 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 406, 302/120B of the Indian Penal Code read with Section 27 of the Arms Act.

As per prosecution case, the allegation against the petitioner along with co-accused persons is that they have committed murder of the husband of the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of confessional statement of co-accused. Neither the petitioner



is named in the FIR nor he was put on T.I.P.. He has got no criminal antecedent. Similarly situated co-accused has already been granted bail by this Court vide order dated 21.03.2023 passed in Criminal Miscellaneous No. 74040 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 20.09.2020.

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 Sarsi P.S. Case No. 119/ 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of J.M. 1st class, Purnea.

(Sunil Kumar Panwar, J)

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