

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18830 of 2023

Arising Out of PS. Case No.-189 Year-2022 Thana- BEUR District- Patna

Rushtam Ali @ Md. Rustam Son Of Mukhtar Ahmad @ Mukhtar Ali R/O
Hirmani, P.S.- Chhoradano, District- Motihari, At Present Bigrahpur Tenant
Of Shiv Yadav House, P.S.- Jakkanpur, District- Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh
For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-05-2023 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 363, 365 of the Indian Penal Code subsequently Sections 302, 364, 201/34, 120B of the IPC were also added.

As per FIR, it is alleged that the brother of the informant was kidnapped by some unknown miscreants. It is further alleged that his brother was killed by unknown miscreants.



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 himself before the police which does not got evidentiary value in the eye of law. The petitioner is not named in the FIR nor any incriminating article has been recovered from his conscious possession. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 14.04.2023 passed in Cr. Misc. No. 75061 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 12.05.2022.

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 Beur P.S. Case No. 189 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 Additional
Sessions Judge-XIII, Patna.

(Sunil Kumar Panwar, J)

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