

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 31827 of 2023

Arising Out of PS. Case No.-45 Year-2021 Thana- SUPAUL District- Supaul

MD. FIROJ @ FIROJ, Son of Md. Idarish, Resident of Mohalla - Chakia
Nirmali, Ward No.- 6, P.S.- Supaul, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Patla Kumari

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 21-06-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Supaul
P.S. Case No. 45 of 2021 registered for the offence under
Sections 394, 302/34 of the Indian Penal Code and 27 of the
Arms Act.

The accused/petitioner is not named in the F.I.R. and
is in custody since 05.04.2021.

The allegation against the petitioner is to commit
murder while committing dacoity alongwith other co-accused
persons and while committing so taken away motorcycle and
mobile which were in possession of informant and others.



Learned counsel appearing on behalf of the petitioner submitted that name of petitioner was surfaced on the basis of confessional statement of co-accused, namely, Pramod Kumar who has been granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 46220 of 2021 dated 21.02.2022. It is also submitted that in furtherance of said confession, no incriminating material recovered/surfaced, which may connect petitioner, *prima facie* with present occurrence of dacoity and murder. No TIP of petitioner was conducted as yet. While concluding the argument, it is submitted that petitioner found involved in two more criminal cases, where he is on bail, and, moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, save and except confessional statement of co-accused, no incriminating material recovered/surfaced during the course of investigation which may connect petitioner, *prima facie* with the present occurrence of dacoity and murder, coupled with the fact that charge-sheet has already been submitted, where petitioner is in custody since 05.04.2021, accordingly, petitioner above



named, is directed to be released on bail in connection with Supaul P.S. Case No. 45 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge- IInd, Supaul/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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