

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37406 of 2023

Arising Out of PS. Case No.-654 Year-2022 Thana- LAHERIYASARAI District- Darbhanga

Md. Faiyaz @ Faiyaz Alam S/O Late Md. Ibrar @ Md. Ibrar R/O Village.
Sirnia, Ps. Ashok Paper Mill, Dist. Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 03-07-2023 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
Laheriasarai P.S. Case No. 654 of 2022 Corresponding T.R. No.
1071 of 2023 registered for the offence under Sections 364 and
34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 10.12.2022.

The allegation against this petitioner is to kidnap one
Ashir Shekh, who came from Maharashtra to the house of
informant to mediate her family disputes.

Learned counsel appearing on behalf of the petitioner



submitted that petitioner was implicated with present false case on the basis of extra judicial confession to the informant, who is none but the sister-in-law (Bhabhi) of petitioner and having strained relations with family. It is submitted that prior to this F.I.R. with same allegation, a police case as Ashok Paper Mill P.S. Case No. 158 of 2022 was registered implicating this petitioner and his brother but now as to implicate the rest of the family members the present F.I.R. was lodged. While concluding the argument, it has been submitted that investigation of this case is completed, for which charge-sheet has already 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, as the basis of F.I.R. appears extra judicial confession of petitioner before informant, who is none but the sister-in-law (Bhabhi) of petitioner, having strained relations with family, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 10.12.2023, accordingly the petitioner, above named, is directed to be released on bail in connection with Laheriasarai P.S. Case No. 654 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with



two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate Darbhanga/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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