

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51039 of 2022

Arising Out of PS. Case No.-85 Year-2022 Thana- JOKIHAT District- Araria

MAMUL S/o Late Hafiz @ Hafij R/o village- Dumariya, P.S.- Jokihat,
District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 08-02-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 363, 365 of the Indian
Penal Code and later on Sections 302, 201, 120B/34 of the IPC
were added.

Prosecution case relates to commit kidnapping and
murder of the son of the informant and then the FIR has been
lodged against unknown.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. FIR is
against unknown. There is no eye witness of the occurrence. On
the basis of confessional statement of co-accused Istiyaque,
name of the petitioner has been surfaced in the present case



during investigation, which has no evidentiary value in the eye of law. Similarly situated co-accused Md. Imran has already been granted bail by different Bench vide order dated 19.09.2022 passed in Cr. Misc. No. 31604 of 2022. Petitioner is languishing in judicial custody since 23.02.2022.

The application for bail is opposed by learned APP for the State and learned counsel for the informant.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Araria in connection with S.T. No. 215 of 2022 arising out of Jokihat (mahalgaun) P.S. Case No. 85 of 2022.

(Sunil Kumar Panwar, J)

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