

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55708 of 2022

Arising Out of PS. Case No.-556 Year-2021 Thana- ARARIA District- Araria

RAJA Son of Domar Baitha resident of Village Kakurwa Basti, Ward no. 29,
Police Station - Araria, District - Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 27-02-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Araria (R.S.) P.S. Case No. 556 of 2021 registered for the offences punishable under Sections 302 and 201/34 of the Indian Penal Code and Section 27 of Arms Act.

As per the prosecution, the informant alleged that his elder brother, who is an e-rickshaw driver, was killed by some unknown persons and thereafter his body was thrown at the alleged place of recovery and his brother's e-rickshaw was



stolen.

The main submissions advanced by learned counsel appearing for the petitioner are that the petitioner is not named in the FIR and his name transpired in the confessional statement of co-accused person namely, Md. Amanullah @ Aman given before the police, who has been granted bail by a co-ordinate Bench of this Court vide order dated 29.09.2022 passed in Cr. Misc. Nos. 25042/2022 and another co-accused namely, Md. Arshad @ Arshad has also been granted bail by another co-ordinate Bench of this Court vide order dated 23.05.2022 passed in Cr. Misc. No. 72049/2021 and after the petitioner's arrest in the present matter, no any incriminating material was recovered from his possession and against him the investigation has been completed.

Learned APP appearing for the State has opposed the bail prayer.

Considering the aforesaid facts and mainly the custody period of the petitioner and also the fact that the petitioner is not named in the FIR and his name transpired in the confessional statement of the co-accused person as stated above, who has been granted bail by a co-ordinate Bench of this Court, in my view it is a fit case for bail to the petitioner. Accordingly,



let the petitioner named-above be enlarged on bail on furnishing
bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the
like amount each to the satisfaction of the Court concerned in
connection with Araria (R.S.) P.S. Case No. 556 of 2021.

(Shailendra Singh, J)

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