

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74102 of 2022

Arising Out of PS. Case No.-50 Year-2022 Thana- BAJPATTI District- Sitamarhi

MD. CHAND S/O LATE MD. BACHCHU Resident of village- Mahsaal
(Got), Ward No- 5, P.S.- Mahsaal, District- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jawed Gaffar Khan

For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 12-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 302/34 of the Indian
Penal Code and Section 27 of the Arms Act.

As per FIR, when the informant's son went for
visiting *Mela* along with co-accused Gopal Kumar and his
friends. The informant received a call then he went to the place
of incident and found his son was lying dead on the road.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that the petitioner is not
named in the FIR. He submitted that on the basis of his own
confessional statement before the police, he has been implicated



in the present case and which has no evidentiary value in the eyes of law. He further submitted that there is no consistent evidence and also no eye-witness to show that the petitioner has involved in the said crime. He is languishing in judicial custody for more than six months.

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

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 S.D.J.M., Sitamarhi in connection with Bajpatti P.S. Case No. 50 of 2022.

(Sunil Kumar Panwar, J)

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