

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79540 of 2023

Arising Out of PS. Case No.-155 Year-2023 Thana- KORHA District- Katihar

MD. JIY AUL @ JIY AUL HAQUE @ LAKKI SON OF MD. AYASH ALI @
AIESH ALI R/O VILLAGE- SANDALPUR, DEHRI, P.S.- KORHA,
DISTRICT- KATIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 307 of the Indian Penal Code and Section 27 of Arms Act.

3. As per prosecution case, some unknown persons are said to have fired upon the informant while he was going by tractor due to which he sustained injury.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in the FIR. His name has surfaced in this case on the basis of confessional statement of co-accused Ankush Raj @Bholu in another case Korha P.S. Case No.; 180



of 2023. It is further submitted that the confession before police is inadmissible in the eye of law. No consistent evidence has come against the petitioner during investigation. It is further submitted that the petitioner is languishing in judicial custody since 19.9.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Korha P.S. Case No. 155 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar.

(Sunil Kumar Panwar, J)

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