

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18588 of 2024

Arising Out of PS. Case No.-7 Year-2020 Thana- BAUNSI District- Araria

Md. Masum Reza @ Masoom Reja Son of Late Bhola Resident of village -
Mahseli Ward No.- 01, Police Station - Bounsi, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Mukesh Kumar Rana, Advocate
For the State : Mr. Jai Narain Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 14-03-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Bounsi
P.S. Case No. 07 of 2020 instituted for the offence under
Sections 341, 323, 324, 326, 307 & 34 of the Indian Penal Code
(for brevity 'IPC') and Section 27 of the Arms Act.
Subsequently, Sections 302, 120B of the IPC were added.

3. Prosecution case in a nutshell is that father of the
informant was fired by 5-6 accused persons, due to which he
sustained injury and later on he died during course of treatment.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 17-01-2023. Petitioner
bears nine criminal antecedents, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Shashi Yadav, and the same has no evidentiary value. There is no specific allegation attributed to the petitioner. It is lastly submitted that charge-sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, manner of implication and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bounsi P.S. Case No. 07 of 2020, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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