

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36640 of 2024

Arising Out of PS. Case No.-115 Year-2024 Thana- SIWAN CITY District- Siwan

Sahil @ Afsar Beg @ Shahil Baig, Aged about 20 years, Male, Son of Azaharuddin Beg @ Laddan Miya @ Azruddin Ladan Kalimullah Baig @ Ladadan Miya, Resident of Village - Ram Nagar Chini Mill (Ram Nagar) New Sugar Mill, P.S.- Siwan Town, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur, Advocate

For the Opposite Party/s : Mr.Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 20-05-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Siwan Town P.S. Case No.115 of 2024 instituted for the offences punishable under Sections 341, 307, 385, 387/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in brief, is that on 11.03.2024 the informant was going to D.A.V. Century Public School, Kandhwara with his two daughters by his motorcycle, in the meantime, Pappan Miyan and three unknown persons fired 7-8 times on him by pistol, as a result of which, he sustained two injuries in his thigh.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Petitioner is not named in the F.I.R., his



name surfaced this case on the basis of self confessional statement, taken in police custody. He has no concern with the alleged occurrence or with the named accused person Pappan Miya. Petitioner has got no criminal antecedent as stated in para-3 of the petition, and he is in judicial custody since 13.03.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. From perusal of the F.I.R. and impugned order dated 19.04.2024, it appears that petitioner is not named in the F.I.R. and F.I.R. registered on the basis of fardbeyan of informant Taukir Aalam against one named accused Pappan Miyan and three unknown persons. Nothing incriminating article has been recovered from the possession of petitioner and his name surfaced on the basis of self confessional statement before the police, which has no evidentiary value in the eye law, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned C.J.M., Siwan in connection with Siwan Town P.S. Case No. 115 of 2024.

(Ramesh Chand Malviya, J)

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