

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51138 of 2024

Arising Out of PS. Case No.-155 Year-2022 Thana- BANGARA District- Samastipur

Md Javed @ Niyaj Son of Md. Kamar Resident of Vill- Kasbe Ahar, P.S.-
Tajpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Hussamuddin Azad

For the Opposite Party/s : Mr.Surendra Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 25-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
N. H. Bangara P.S. Case No. 155 of 2022 registered for the
offence punishable under Section-394 of the Indian Penal Code
and 27 of the Arms Act.

3. Allegedly, while the informant was going to Jeevan
Sahara Hospital by his motorcycle, in the way, the accused
persons intercepted him and consequently, firing was made
which hit in the leg of the informant. The motorcycle of the
informant was taken away by the miscreants.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and he has falsely been implicated



in this case. He is under custody since 06-02-2024. Nothing was recovered from possessions of the petitioner. Except the confessional statement and criminal antecedent of the petitioner, there is nothing against him in the entire case diary.

5. It appears that in the present case, except the confessional statement of the petitioner, there is nothing against him. The confessional statement leading non-recovery has no evidentiary value in the eye of law.

6. Learned counsel appearing for the State has opposed the prayer for bail.

7. Considering the aforesaid facts and circumstances, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Ms. Chanda Lal, learned Judicial Magistrate-Ist Class, Samastipur in connection with N. H. Bangara P.S. Case No. 155 of 2022 subject to the the following conditions:

(i) The petitioner will cooperate in trial and shall make himself available as and when required by the court.

(ii) . **Before accepting the bail bonds, the criminal antecedent of the petitioner shall be verified and if, it is found that he is involved in any other case except the case(s),**



mentioned in paragraph-3 of the bail petition, his bail bonds shall not be accepted.

(Nawneet Kumar Pandey, J)

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