

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79074 of 2023

Arising Out of PS. Case No.-119 Year-2021 Thana- SIMRI District- Darbhanga

MD SHAMSHAD S/O MD. JALALUDDIN @ MD. JALAUDIN KUJRA @
JALAUDIN KUJRA @ JALAUDIN KUJRA, RESIDENCE OF
MOHALLA/VILLAGE- AGRAIDIH, PS. BIRAUL, DISTRICT.
DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Archana Shahi, Advocate
Mr. Kedar Jha, Advocate
For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 07-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Simri P.S. Case no. 119 of 2021, registered under sections 302 and 394 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, it is stated by the informant that while his brother-in-law was travelling on his motorcycle, four unknown accused persons stopped him and looted Rs. 5,000/- in cash besides other articles as mentioned in the FIR. In the occurrence, gunshot injury was received by the informant's brother-in-law who subsequently died in course of treatment.



4. Learned counsel for the petitioner submits that the FIR was registered against four unknown accused persons. The name of the petitioner transpired in course of investigation as having participated in the occurrence along with others. The co-accused Raghunandan Thakur has been enlarged on bail vide order dated 20.1.2023 passed in Cr. Misc. no.40152 of 2022. No incriminating article has been recovered from the petitioner's possession. He is in custody since 11.4.2022 and charge-sheet has been submitted in the case.

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

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the nature of material that has transpired in course of investigation, the contents of the confessional statement made before police, grant of bail to co-accused Raghunandan Thakur vide order dated 20.1.2023 passed in Cr. Misc. no.40152 of 2022 together with the petitioner having remained in custody for 1 year 10 months since 11.4.2022 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Simri P.S. Case no. 119 of 2021, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of the learned
Additional Chief Judicial Magistrate-IV, Darbhanga.

(Partha Sarthy, J)

Shiv/-

U			
---	--	--	--

