

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84742 of 2023

Arising Out of PS. Case No.-36 Year-2023 Thana- RAUTARA District- Katihar

Firoj Alam @ Firoz Khan Son Of Harun Rashid R/O Village- Churbighat,
P.S.- Rautara, Dist.- Katihar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Thakur
		Mrs.Vaishnavi Singh
For the Opposite Party/s :		Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 25-01-2024 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 sections 302, 120/34 of the Indian Penal Code.

3. According to the prosecution case, it is alleged that the FIR named accused person along with unknown committed murder of the informant's son namely, Md. Salim. This petitioner was initially witness of the occurrence thereafter, he was also made an accused during investigation.

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. Initially, he was witness of



the alleged occurrence but during investigation police has manufactured the confession of the petitioner and made him an accused. It is further submitted vide para 8, 9 of the petition that several persons have supported the prosecution case but at a belated stage, the police recorded the statement of some other witness who have allegedly stated that when they came at place of occurrence, no was fleeing away. The entire allegation against the petitioner is false and fabricated and confession of the petitioner before police is inadmissible in the eye of law. The petitioner has got no criminal antecedent and is languishing in judicial custody since 7.8.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the postmortem report of the deceased is corroborated by confessional statement of the petitioner.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Rautara P.S. Case No. 36 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



Judicial Magistrate, 1st Class, Katihar.

(Sunil Kumar Panwar, J)

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