

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30452 of 2025

Arising Out of PS. Case No.-487 Year-2024 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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MOHAMMAD FAIZ @ MD. FAIZ S/o Md. Ayub R/o vill - Kali Bari road,
Near Aveda High School, Tinkothia, ward no. 40, P.s. - Mithanpura, Distt.-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand, Advocate

For the Opposite Party/s : Ms.Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 06-08-2025 Heard the parties.

2. The petitioner is in judicial custody in connection with Sessions Trial No. 161 of 2025 arising out of Muzaffarpur Town P.S. Case No. 487 of 2024 for the offence punishable under Sections 103(1), 238, 61(2), 3(5) of the Bhartiya Nayay Sanhita, 2023 lodged on 05.08.2024 by the informant, Satanji Kumar Singh.

3. As per the prosecution story, the informant alleged that upon receiving information that dead body of his son, Abhishek Kumar is lying near Pump House, Shukla Road, he reached there and found him dead. He had suffered injuries on his head and face. This led to the FIR.

4. Subsequently, during the investigation, role of the petitioner/accused came up which led to his arrest.

5. Learned counsel for the petitioner submits that Md. Aman made confessional statement highlighting his role in the



killing alongwith Md. Farman and Md. Arsad.

6. So far as this petitioner is concerned, even the confessional statement does not name him regarding the assault made on the deceased.

7. The submission is that Md. Aman, Md. Farman and Md. Arsad have been extended bail by a coordinate bench of this Court in Cr. Misc. No. 87533 of 2024, Cr. Misc. No. 80407 of 2024 and Cr. Misc. No. 77063 of 2024 respectively.

8. Learned APP opposes the prayer stating that he was also member of the accused gang which led to the killing of the innocent.

9. Taking into account the aforesaid facts as also that the other co-accused who gave confessional statement have been extended relief, he is in custody since 07.08.2024 having no criminal history, in that background, this Court is inclined to extend him the privilege of bail with conditions.

10. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned 3rd Additional Sessions Judge, Muzaffarpur, in connection with Sessions Trial No. 161 of 2025 arising out of Muzaffarpur Town P.S. Case No. 487 of 2024 subject to the following conditions:



(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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