

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87808 of 2024

Arising Out of PS. Case No.-239 Year-2024 Thana- BIHARIGANJ District- Madhepura

Md. Salamun @ Salimuddin S/o- Md. Sajjad R/o Village-Madhuban, Ward
No.01, P.S.-Jankinagar, District-Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 21-03-2025 Heard learned counsel for the petitioner and Mr.
Bharat Bhushan, learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 103(1), 3(5) & 351(3) of the BNS and under Section 27 of the Arms Act.

3. The case of the prosecution is that the petitioner along with others has killed the husband of the informant by shooting.

4. Learned counsel for the petitioner has submitted that from perusal of the FIR itself it is clear that the informant is not the eye-witness. During course of investigation one Subhaan has given his confessional statement and in his confessional statement he confessed his guilt that he fired at the deceased.



From perusal of the post-mortem report it transpires that there is only one entry wound and exit wound. From perusal of para-30 of the case diary also it transpires that it has come that Mohammad Saheb has procured the weapon. There is nothing except confessional statement in this case and even in confessional statement the role of this petitioner is not clear. The petitioner is in custody since 24.07.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bihariganj P.S. Case No. 239 of 2024 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Udakishunganj, Madhepura.

(Ashok Kumar Pandey, J)

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