

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31389 of 2015

Arising Out of PS.Case No. -386 Year- 2014 Thana -MANER District- PATNA

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1. Rohan Kumar S/o Late Vilash Gope Resident of Village Sundar Bigha,
P.S. Nalanda, District Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Ganesh Prasad Singh (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 04-11-2015 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Maner P.S.
Case No. 386 of 2014 registered for the offences punishable under
Sections 302, 201 of the Indian Penal Code.

On the basis of fardbeyan of Khameshwar Rai, the
instant case has been registered as one un-known dead body
whose neck was roped by white colour plastic rope, was found
lying near the side of N.H.-30 road in the CHAT and also a napkin
was rolled on the neck. During investigation the petitioner was
caught as driver of the truck and from his possession two mobiles
were recovered out of which one was of the deceased and the
petitioner has confessed his guilt.



Submission is of false implication and that there is no tangible evidence against the petitioner. The confessional statement made before the police has no evidentiary value in the eye of law. As a matter of fact only one mobile was recovered from the possession of the petitioner and another mobile has been planted only with a view to rope the petitioner in the crime. Other co-accused Ram Sajjan Singh @ Amit Kumar Singh has been allowed bail vide order dated 03.08.2015 passed in Criminal Misc. No. 16749 of 2015. The petitioner is in custody since 08.11.2014, having no criminal antecedent. Chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence to which the learned A.P.P. opposes.

In the facts and circumstances stated above, considering that co-accused Ram Sajjan Singh @ Amit has been allowed bail by another co-ordinate Bench of this Court, the petitioner, above named, is also directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Additional Chief Judicial Magistrate, Danapur, Patna arising out of Maner P.S. Case No. 386 of 2014 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of

the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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