

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40542 of 2014

Arising Out of PS.Case No. -147 Year- 2014 Thana -GAYA KOTWALI District- GAYA

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Amit Kumar Son of Amarnath Choudhary Resident of Mohalla- Tilha
Dharmshala, Nawagarhi More, P.S.- Civil Line, District- Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

4 10-03-2015

Heard the learned counsel for the petitioner and
the learned A.P.P. for the State.

The petitioner seeks bail in a case for the offence
punishable under Sections 302 and 120B of the Indian
Penal Code.

The prosecution case is that Ravi Kumar Soni,
Ranjeet Kumar and the deceased (Kishore Kunal @
Chimpu) booked room no. 202 in Hotel Gautam and in
the next morning Kishore Kunal was found dead in that
room on the bed itself.

It is submitted by the learned counsel for the
petitioner that the name of the petitioner has appeared
during investigation and the petitioner has also made
extra judicial confession before the police. There is no



other material against him. There is no eye witness to the occurrence. The petitioner was also not last seen with the deceased and both the accused, namely, Ravi Kumar Soni and Ranjeet Kumar, who were last seen with the deceased, have been granted bail vide order dated 24.2.2014 passed in Cr. Misc. no. 30524 of 2014 with Cr. Misc. no. 31386 of 2014. The petitioner has been in custody since 17.4.2014 having no criminal antecedents.

Learned counsel for the State submits that apart from the confessional statement there is circumstantial evidence also. After investigation chargesheet has also been submitted against the accused including the petitioner.

Considering the facts and circumstances of this case, the above-named petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya/court concerned in Kotwali P. S. Case no. 147 of 2014 **after framing of charge** with the following conditions :

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1. One of the bailors will be the close relative of the petitioner.
 2. The petitioner will not indulge in similar or in any other offence.
 3. The petitioner will be well represented in the court.
 4. In case of absence for two consecutive dates or in violation of the terms of the bail, his bail bond will be liable to be cancelled by the court concerned.

(Amaresh Kumar Lal, J)

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