

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 28533 of 2014

Arising out of P. S. Case No. - 65 Year - 2014 Thana - BAHADURPUR District - DARBHANGA

1. Sanjay Singh, son of Ram Sewak Singh, resident of Village - Andama,
Police Station - Bahadurpur, District - Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Dilip Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 29-01-2015

Heard the parties.

In this application for anticipatory bail the petitioner apprehends his arrest for the offence punishable under Section 364/34 of the Indian Penal Code.

Allegedly, Shailendra Kumar Ojha and Pashupati Kunwar @ Munna Mukhiya were killed and for that two separate cases were lodged. Later on, both were amalgamated and investigation has been done wherein the petitioner has been charge-sheeted along with other co-accused on the basis of confessional statement of Himeshwar Kumar Mishra @ Himesh Mishra and Santosh Kumar Chaudhary. The petitioner's name has transpired that he is the maternal uncle of Chintu Singh a veteran criminal.

Submission is that confessional statement of co-

accused made before the police leading to no recovery has got no evidentiary value in the eye of law and moreover in that confessional statement also no role has been assigned to the petitioner for committing the murder and, as such, the petitioner deserves sympathetic consideration to which the learned A.P.P. opposes by submitting that it is a case of double murder.

Considering the submissions urged at the bar, going through the case diary and noticing that in the confessional statement only name of the petitioner has been taken and no role has been assigned and further the petitioner has got no criminal antecedent and, as such, the petitioner, above named, in case of his arrest or surrender within two months from the date of receipt/production of a copy of this order shall 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 learned Chief Judicial Magistrate, Darbhanga in connection with Bahadurpur P.S. Case No. 65 of 2014, subject to the conditions as laid down in Section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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