

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52205 of 2015

Arising Out of PS.Case No. -52 Year- 2015 Thana -CHANDRADEEP District- JAMUI

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Ankaj Kumar, Son of Raj Kumar Ram, resident of Village- Gangti, Police
Station- Sikandra, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Abhay Kr.Roy(App)

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

3 08-02-2016

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

The petitioner seeks bail in connection with
Chandradeep P.S. Case No. 52 of 2015 registered for the offences
punishable under Sections 302, 387/34 of the Indian Penal Code
and Section 27 of the Arms Act.

Allegedly, three F.I.R. named accused persons
alongwith two unknown came and demanded ransom of Rs.
2,00,000/- and due to non-fulfillment, shot Arun Kumar, the elder
brother of the informant and fled away. During investigation the
name of the petitioner transpires that he was driving the
motorcycle and on that motorcycle co-accused Amarjeet Singh
came, having fire arm in his both hands and shot Arun Kumar.

Submission is of false implication and that the
witnesses who have named the petitioner are not reliable, there are

contradiction in their statements from the First Information Report, moreover from their statement, the petitioner is not the assailant and confession of the petitioner, recorded by the police, has got no evidentiary value in the eye of law and, as such, the petitioner who is suffering in custody since 30.07.2015, deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering that the petitioner is not the assailant, the petitioner, above named, is 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 Judicial Magistrate, 1st Class, Jamui arising out of Chandradeep P.S. Case No. 52 of 2015 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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