

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54172 of 2016

Arising Out of PS.Case No. -16 Year- 2016 Thana -SHAHKUND District- BHAGALPUR

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Gautam Kumar Singh @ Gautam Kumar, Son of Sri Sachidanand Singh
resident of Village- Maragama, P.S.- Rajoun, Dist.- Banka.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vivekanand Vivek, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 28-01-2017

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the
offence under Sections 302 and 201/34 of the Indian Penal Code.

It is alleged in the written report that the informant
recovered half burnt dead body of unknown person from the field
covered by ash. The police prepared the inquest report.

It has been submitted that during investigation, the
name of the petitioner has come in the confessional statement of
one Dablu Singh. It has further been submitted that other co-
accused has been granted bail by a co-ordinate Bench of this
Court vide order dated 13.12.2016 passed in Cr. Misc. 51138 of
2016.

Learned A.P.P. has submitted that when the petitioner



was arrested, he disclosed the name of other co-accused persons to the police in his confessional statement. He has submitted that during investigation, the police has stated about tower location which appears the involvement of the petitioner.

Perused the order of the learned Sessions Judge. The learned Sessions Judge has mentioned in the impugned order that this is a case of circumstantial evidence. As per written report itself, half burnt dead body was found.

Be that as it may, this Court does not find any serious and direct allegation of overt act against the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, 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 learned Additional District & Sessions Judge, Bhagalpur, in connection with Sessions Trial No. 623 of 2016 + Sessions Trial No. 489 of 2016 arising out of Shahkund P.S. Case No.16 of 2016 subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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