

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19165 of 2017

Arising Out of PS.Case No. -70 Year- 2016 Thana -DEO District- AURANGABAD

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Santan Kumar S/o Rohan Mahato, R/o Jangi Mohalla, Deo, P.S. Deo,
District - Aurangabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar -2, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 12-05-2017 Heard both sides.

The petitioner seeks bail in Deo P.S. Case No. 70/2016, registered for the offences punishable under Section 302 and other sections of the Indian Penal Code.

The informant named Chandan Kumar and Parvati Kumari and alleged that he suspected that both the accused persons killed his son Vivek Kumar and killed him by slitting his neck.

Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. The name of the petitioner surfaced in the case on the basis of the confessional statement of the co-accused Chandan Kumar. Chandan Kumar is said to have confessed his guilt and disclosed that the belongings purse, clothes



etc. of the deceased were put in another well and in pursuance of the confession of Chandan Kumar the Clothes, purse etc. were recovered from another well. Chandan Kumar has disclosed that the petitioner caught legs of the deceased Vivek Kumar and he sat on the chest of the deceased slitting his neck. The petitioner is also said to have confessed his guilt, but nothing has been recovered in pursuance of the confession of the petitioner. Save and except the confessional statement of co-accused Chandan Kumar the Investigating Officer did not collect any further evidence which show the involvement of the petitioner in the murder of Vivek Kumar.

Considering the facts aforesaid, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Aurangabad in connection with Deo P.S. Case No. 70/2016

(Prabhat Kumar Jha, J.)

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