

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8476 of 2017

Arising Out of PS.Case No. -76 Year- 2016 Thana -CHANDRAMANDIH District- JAMUI

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1. Rohit Singh Son of Late Kishun Singh resident of Village - Kendih, P.S. -
Khaira, District - Jamui.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Prasad

For the Opposite Party/s : Mr. Sri Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 12-04-2017 Heard both sides.

The petitioner seeks bail in Chandramandih P.S. case
No. 76 of 2016 under Section 302/34, 120(B) of the Indian Penal
Code.

The informant, brother of the deceased, lodged the
case against three unknown persons for killing of his brother,
Ramesh Choudhary.

The learned counsel for the petitioner submits that
petitioner is not named in the FIR. During the course of
investigation, one Ranjit Tanti was apprehended and he confessed
his guilt and disclosed that Rohit Singh disclosed that Baleshwar
Choudhary is his friend and he got land dispute with Ramesh
Choudhary and Baleshwar Choudhary was ready to pay Rs.



70,000/- for the killing of Ramesh Choudhary. On such, Ranjit Tanti, Ful Kumar Dubey and Dinesh Rai killed Ramesh Choudhary by slitting his neck. It is further submitted that save and except confession of Ranjit Tanti, leading to recovery of sickle and pants of accused persons, no other material is collected to show the involvement of the petitioner in killing of Ramesh Choudhary and except that part of confessional statement of a co-accused leading to recovery of some incriminating articles, the I.O. has not collected any incriminating material to show the involvement of the petitioner in the alleged commission of murder.

The learned counsel for the informant as well as the learned Additional Public Prosecutor, vehemently, opposed the prayer for bail. The learned counsel for the informant submits that Ranjit Tanti confessed his guilt and disclosed that he along with Ful Kumar Dubey and Dinesh Rai committed the murder of Ramesh Choudhary. In pursuance of the aforesaid confession, the money from the house of Ful Kumar Dubey, pants of Ful Kumar Dubey and the sickle from which neck of the deceased was slit were recovered but, on query, the learned counsel for the informant could not be able to show any material collected during the course of investigation against the petitioner, in pursuance of



the confessional statement of co-accused.

Considering the facts that save and except confession of the co-accused there is no incriminating material against the petitioner, the above named petitioner 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 the learned Additional Chief Judicial Magistrate-II, Jamui in Chandramandih P.S. Case No. 76 of 2016.

(Prabhat Kumar Jha, J)

BKS/-

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