

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9700 of 2018

Arising Out of PS.Case No. -440 Year- 2017 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

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1. K. P. Singh @ Kamaleshwar Prasad Singh @ Munna Singh, Son of
Bijali Singh, Resident of Aranahawa, Police Station- Majhauilya,
District- West Champaran, Presently residing at Harwatika Chowk,
Police Station- Bettiah Muffasil, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh 1, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 30-03-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the
offences punishable under Section 302/34 of the Indian Penal
Code and Section 27 of the Arms Act.

The FIR of the occurrence of murder is against
unknown. Name of the petitioner surfaced on the confessional
statement of co-accused Sonu Chaudhary, who stated before the
police that this petitioner had provided pistol to him which was
used for commission of murder of the son of the informant and
thereafter returned to the petitioner.

Submission is that confession of co-accused



before the police is no evidence against the petitioner. The recovery of the said pistol was not from the possession of the petitioner.

Learned counsel for the informant opposed the prayer for bail on the ground of criminal antecedent of the petitioner.

Considering the fact that there is no substantial material against the petitioner in this case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Shikarpur P.S. Case No.440 of 2017, with condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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