

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62687 of 2018

Arising out of PS. Case No.-33 Year-2018 Thana- SALIMPUR
District- Patna

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Ashok Kumar, Son of Narayan Sharma, resident of Saidpur, P.S.
Salimpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s: Mr. Binod Kumar, APP

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 08-10-2018 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered for
offences under Sections 302 and 201 of the Indian Penal Code.

It is contended that, as per the allegation, the
informant is the father of deceased, who was killed by unknown
persons and his dead body was thrown in the field which was
recovered at about 12 O' clock on 15.02.2018. Informant has not
named any person in the F.I.R. The name of petitioner has
surfaced in this case subsequently during investigation and, on
confessional statement made by co-accused Anil Kumar and
Prem Kumar, the petitioner has been made accused in this case.



In the confessional statement, which has been recorded by the I.O. in para-4, in which he confessed that while the child was returning from Braham Bhoj, they kidnapped him in mid way and took him on motorcycle and thereafter slit his neck by sharp weapon and threw his body in field, however, such confessional statement does not match with the statement of informant who has stated in his F.I.R. that his son had returned to his house after Braham Bhoj at about 7.00 P.M. and in the morning on 15.02.2018 he was found missing, as such serious doubt is created with respect to implication of petitioner in this case.

It is contended that the petitioner has been implicated in this case on the basis of confessional statement of the co-accused persons who have already been granted bail by a Co-ordinate Bench of this Court vide order dated 28.08.2018 passed in Cr. Misc. Nos. 39167 of 2018 and 43476 of 2018, as contained in Annexure-2. It is further contended that petitioner has no criminal antecedent. It is urged that petitioner is in custody since 23.02.2018.

Considering the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on his furnishing bail bonds of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned A.C.J.M., III, Barh, District-Patna in
connection with Salimpur P.S. Case No. 33 of 2018.

(Dr. Ravi Ranjan, J)

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