

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57560 of 2017

Arising Out of PS.Case No. -182 Year- 2016 Thana -WARSALIGANJ District- NAWADA

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Guddu Kumar S/o Ram Chandra Prasad, R/o Village- Akauna, P.S.-
Muffassil, District- Nawada.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 12-02-2018 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for
the offences punishable under Sections 364 and 365 of the
Indian Penal Code and later on Sections 302,201 and 120(B)
of the Indian Penal Code was added.

Son of the informant was found missing from
the house and subsequently his dead body was recovered.
The FIR was lodged against unknown. During investigation,
it revealed that the deceased was in talking terms with Veena
Devi and that was the reason, that the husband of Veena
Devi and this petitioner committed his murder.

Submission is that only suspicion is there.
There is no eye witness of the occurrence. Further



submission is that initially the petitioner was declared juvenile by order dated 20.10.2016 passed by the learned Juvenile Justice Board, Nawada. Subsequently, on psychological test, the petitioner was considered adult by order dated 14.06.2017 passed by the same Board vide Annexures-2 and 3.

Learned counsel for the informant opposed the prayer for bail on the ground that on the basis of the confessional statement of husband of Veena Devi, the dead body was recovered and in that confessional statement, name of the petitioner has also transpired. Co-accused Mithilesh Kumar and Bablu Kumar were refused bail by a Coordinate Bench of this Court in Cr.Misc.No. 53105 of 2016 for the reason that on the basis of C.D.R. of their mobile phone, their implication was noticed.

After hearing the parties and considering the fact that only material against the petitioner is suspicion and confessional statement of co-accused before the police, the aforesaid material cannot be a ground to detain the petitioner furthermore as undertrial prisoner especially when the investigation is complete. Petitioner is ready to cooperate with the trial.

Hence, 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 learned Court below where the case is pending in connection with Warisaliganj Police Station Case No.182 of 2016 in Sessions Trial No.37 of 2017, subject to the condition that the petitioner shall fully cooperate with the investigation and 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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