

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33458 of 2018

Arising Out of PS. Case No.-94 Year-2018 Thana- BEGUSARAI TOWN District- Begusarai

Prince Kumar, S/o Raja Ram Singh, R/o Badalpura, Matihani, Mirzapur, P.S.-
Matihani, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pritish Kumar Lal
For the Opposite Party/s : Smt. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 27-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Today, a supplementary affidavit has been filed on
behalf of the petitioner, which is kept on the record.

The petitioner is in custody in connection with the
present case since 16.03.2018 on his remand in connection with
Begusarai Town Police Station Case No.94 of 2018 for the
offences registered under Sections 302/34, 120(B) of the Indian
Penal Code and Sections 27, 25(1-b)A, 26/35 of the Arms Act.

Learned counsel for the petitioner submits that
admittedly the F.I.R. is against unknown persons but the
petitioner was remanded in connection with the present case on
16.03.2018 on the basis of confessional statement made before
the Police by one *Abnish Kumar*. It is further submitted that on



the alleged date of occurrence the petitioner was already in judicial custody for which supplementary affidavit has been filed today.

Learned counsel for the petitioner submits that save and except confessional statement of the co-accused before the Police there is no material against the petitioner which has no evidentiary value in the eye of law.

In view of the facts and circumstances of the case and also because the petitioner is said to be in judicial custody on the date of occurrence, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees 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 Town Police Station Case No.94 of 2018, subject to the following condition:-

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in Court on each and every date during trial and in the event of



his failure on two consecutive dates without sufficient reasons his bail bond shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Birendra Kumar, J)

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