

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55584 of 2018

Arising Out of PS.Case No. -33 Year- 2018 Thana -SONO District- JAMUI

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Dinesh Das @ Dinesh Kumar Das S/o Tota Rabidas, R/o Barabandh, P.S.-
Khaira, District- Jamui.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar -1, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Sono P.S.Case No. 33 of 2018 registered under Sections 302,
120-B/34 of the Indian Penal Code and 27 of the Arms Act.

It is submitted by the learned counsel for the
petitioner that from perusal of the order dated 20.08.2018 passed
by the learned Sessions Judge, Jamui in A.B.P. No. 868 of 2018
whereby the application for grant of pre-arrest bail has been
rejected, it would be manifest that the petitioner is not named in
the FIR and during investigation, not a single witness has stated
about his involvement in the alleged crime. He is apprehending his
arrest only because one Gautam Das has confessed his guilt and
stated that he had disclosed about the crime to the petitioner. He



contended that even if the confession of Gautam Das is believed to be true, the same would not attract the offences under Section 302 or 120-B of the Indian Penal Code or Section 27 of the Arms Act.

Learned counsel for the State opposed the application for grant of pre-arrest bail of the petitioner. However, he admitted that except what has been recorded by the learned Sessions Judge, there is no other material to connect the petitioner with the alleged crime.

Regard being had to the submissions made above especially the findings recorded by the learned Sessions Judge in his order dated 20.08.2018 in the event of arrest or surrender before the court below within four weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jamui in connection with Sono P.S.Case No. 33 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Pradeep/Sneha

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