

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4375 of 2019**

Arising Out of PS. Case No.-92 Year-2018 Thana- PARWALPUR District- Nalanda

Lalan Jamadar son of Late Ram Chandra Jamadar, resident of Village -  
Kurmiya Bigha, Police Station- Hilsa, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

5      18-04-2019                      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 27 of the Arms Act.

According to FIR, one Surendra Singh was eye-  
witness of the occurrence of murder of the husband of the  
informant.

According to Surendra Singh, unknown persons  
came and assaulted him and dragged to the husband of the  
informant, thereafter, caused firearm injury and death.  
Informant suspects that her husband had land dispute with co-  
accused Ashok Singh and Ashok Singh had threatened to teach



a lesson. On the same day, the petitioner had called on mobile and asked the deceased to leave the village. Hence, suspicion is that petitioner and other co-accused were involved in the murder.

Learned counsel for the petitioner submits that there is no eye-witness of the occurrence to substantiate that petitioner had committed the murder. Petitioner has got no criminal antecedent. He is in custody since 14.07.2018 and investigation of the case is already complete.

Learned counsel for the informant submits that name of the petitioner surfaced in the confessional statement of the co-accused Ashok Singh and Ashok Singh has been refused bail by a co-ordinate Bench of this Court.

Since it was not brought to the notice of co-ordinate Bench that confession before the police is not a relevant evidence and there is no other material except the confession of the petitioner and co-accused.

Considering the entire facts, 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 Parwalpur P.S.

Case No. 92 of 2018, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) 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)**

Banti/Rajan

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