

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7220 of 2019

Arising Out of PS. Case No.-494 Year-2018 Thana- PATLIPUTRA District- Patna

Rakesh Kumar @ Kallu, aged about 22 years, Male, Son of Rajendra Prasad
Resident of Village-Digha Haripur, Colony Railway Line, P.S.- Digha,
District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Anurag Singh, Adv

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 24-04-2019 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Section 302 of the Indian Penal
Code.

The FIR of the occurrence of murder is against
unknown. The petitioner was apprehended on the basis of
information of the spy and thereafter confessional statement of
petitioner was recorded while in police custody wherein the
petitioner admitted his involvement in the murder.

Submission is that the petitioner is in custody
since 24.10.2018. Investigation of the case is already complete.

Learned counsel for the informant submits that



though in the FIR informant stated that co-accused-Rakesh Kumar had taken the deceased from house on the pretext of visiting local fair and thereafter dead body of the deceased was found but the witnesses before the police stated that this petitioner had taken the deceased from his house.

The aforesaid is also serious contradiction in the statement of the two eye witnesses.

Considering the aforesaid 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 learned Court below where the case is pending in connection with G.R.No.8235 of 2018 arising out of Patliputra Police Station Case No.494 of 2018, subject to the condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the petitioner shall fully cooperate with the 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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