

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10465 of 2019

Arising Out of PS. Case No.-47 Year-2018 Thana- PHULWARISHARIF District- Patna

DEEPU KUMAR, Male, aged about 29 years, Son of Late Krisna Rai @ Late Krishan Kumar, Resident of Nawada, P.S. and P. O. - Phulwari Sharif, District- Patna- 801505.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sayed Imran Ghani, Advocate.
For the Opposite Party : Mr.Choubey Jawahar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-04-2019 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner is languishing in custody since 20.02.2018 in a case for the offence registered under Sections 302, 201 and 120(B)/34 of the IPC.

The prosecution story, in brief, is that on 20.01.2018, the brother of the informant Vikash Kumar alongwith his friend Ranjan Kumar @ Chunnu went for attending Birthday Ceremony of his friend but they did not return. Thereafter, the informant came to know from the police officials that two dead bodies as his brother Vikash Kumar and his friend Ranjan Kumar are lying in village-Nawada at



Phulwari Shariff police station, Patna. He also found that dead bodies were partly burnt and also found injuries on the head.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. His name has come on the basis of confessional statement of co-accused Subhash Paswan. There is no recovery of any incriminating article from possession of the petitioner. There is no eye witness to the alleged occurrence. Other co-accused have been granted bail by another Co-ordinate Bench of the Court vide Cr. Misc. No. 38598 of 2018 order dated 24.08.2018 and Cr. Misc. No. 58543 of 2018 order dated 06.10.2018.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-IV, Patna, in connection with Sessions Trial No. 522 of 2018, Phulwari Sharif P.S. Case No. 47 of 2018, G.R.



No. 762 of 2018.

(Sudhir Singh, J)

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