

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14056 of 2019

Arising Out of PS. Case No.-99 Year-2018 Thana- KHIRI MORE District- Patna

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Suraj Kant @ Bitu Kumar @ Bittu, Son of Ram Vinod Sharma, Resident of
Village-Mera, Police Station-Khiri More, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay

For the Opposite Party/s : Mr.Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-03-2019 Heard learned counsels for the petitioner and the

State.

The petitioner is languishing in custody since 17.11.2018
in a case registered for the offences punishable under Sections
302 and 120B of the IPC and Section 27 of the Arms Act.

The prosecution case, as per the written report of
Brajbhushan Prasad dated 13.11.2018, submitted to the Station
House Officer, Khiri More Police Station, is to the effect that on
the eve of Chhath Puja, the son of the informant, namely, Amit
Kumar Bhushan @ Tutu, being the Chairman of the Organizing
Committee of the Chhath Puja, organized a musical programme
and while he was receiving the chief guest, Chandan Kumar and
Bisheshwar Prasad Singh, someone resorted to fire at the son of
the informant, as a result, he died on the spot, leading to



registration of F.I.R. against unknown persons. During investigation, the petitioner was arrested and he confessed his guilt. The impugned order suggests that on the confession of the petitioner, one country made pistol was recovered from the place of occurrence.

It is submitted by learned counsel for the petitioner that a supplementary affidavit has been filed to the effect that learned Sessions Judge has committed error or record in recording that on the confessional statement of the petitioner, country made pistol was also recovered from the place of occurrence, rather nothing has been recovered from the place of occurrence. It is further submitted that neither the petitioner nor the used revolver has been put on T.I. Parade and the investigation has already been concluded. A statement has been made in paragraph no.3 of the petition that apart from the present case, the petitioner is also made accused in other case in which he is on bail.

Learned APP submits that the petitioner has confessed his guilt before the police.

Considering the fact that the impugned order, which appears to have been passed after going through the case dairy, only suggest that the petitioner has confessed his guilt before the



police and the investigation has already been concluded, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned ACJM-III, Danapur, Patna in connection with Khiri More P.S. Case No. 99 of 2018.

(Dinesh Kumar Singh, J)

Amrendra/-

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