

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22805 of 2019

Arising Out of PS. Case No.-29 Year-2018 Thana- ARA RAIL P.S. District- Bhojpur

AJAY KUMAR @ RAJA Son of Lalit Kumar Singh Resident of Village -
Anaith, P.S.- Ara Nawada, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Govind Mishra
For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 20-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 302, 120B/34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case in short is that the husband of the informant left the house with the accused persons and did not return, later he was killed by the accused persons.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 14.9.2018. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R.. The name of the



petitioner has transpired after a period of five months. Except for the self confession made under section 161 Cr.P.C., there is no other substantive evidence to suggest his implication in the present case. There is no eye witness to the alleged occurrence. Other co-accuseds have been granted bail vide orders dated 01.02.2019 and 15.04.2019 passed in Cr. Misc. Nos. 78771 of 2018 and 24120 of 2019.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that 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 learned Railway Judicial Magistrate, Bhojpur at Ara in connection with Ara Rail P.S. Case No. 29 of 2018.

(Sudhir Singh, J)

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