

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23493 of 2019

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

Kunal Kumar, Son of Satyendra Rai, Resident of Village- Nakti Diyara
Dinapur, P.S.- Digha, Dist.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Ansul, Advocate
		Mr. Anuj Kumar, Advocate
For the Opposite Party	:	Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 22-05-2019 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the informant.

The petitioner seeks bail in connection with S. Tr.
No.184 of 2019 arising out of Patliputra P.S. Case No.494 of
2018 registered under Section 302 of the Indian Penal Code.

It is submitted by the learned counsel for the
petitioner that name of the petitioner transpired in confessional
statement of co-accused Rakesh Kumar. The co-accused Rakesh
Kumar @ Kallu has already been granted bail by a Bench of this
Court vide order dated 24.04.2019 passed in Cr. Misc. No.7220
of 2019. The further submission on behalf of the petitioner is
that though the petitioner is in custody since 23.10.2018 and
investigation against him has already been completed, save and
except suspicion and circumstantial evidence as well as the



confessional statement of co-accused, no legal evidence has been collected.

On the other hand, learned counsel for the State and learned counsel for the informant submitted that the circumstances under which the murder has taken place and the confession made by Rakesh Kumar and Sukesh Kumar goes to indicate the complicity of the petitioner in the offence alleged.

Regard being had to the submissions made above specially the fact that co-accused Rakesh Kumar @ Kallu has already been granted bail by a Bench of this Court, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III-cum-Special Judge, CBI-II, Patna in connection with S. Tr. No.184 of 2019 arising out of Patliputra P.S. Case No.494 of 2018 subject to the following conditions:-

- (a) that the petitioner shall attend court in accordance with the conditions of the bond executed;
- (b) that the petitioner shall not commit an offence similar to the offence of the present case; and
- (c) that the petitioner shall not directly or indirectly



make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Ashwani Kumar Singh, J.)

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